

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26994 of 2019

Arising Out of PS. Case No.-29 Year-2018 Thana- MAHILA P.S. District- Araria

MD. MAHBUB ALAM @ MAHBUB ALAM, Son of Umar Farooque @ Md. Farooque, Resident of Village - Rampur, Kudar Katti, P.S.- Araria, Distt - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Ziaul Quamar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Araria Mahila P.S. Case No. 29 of 2018, registered for the offences punishable under Section 376 of the Indian Penal Code and Sections 3/4 of POCSO Act.

Allegation against the petitioner is that he committed rape upon the informant on the assurance of marriage.

Submission of learned counsel for the petitioner is that the allegation is false and concocted and he has falsely been implicated in this case and in order to put pressure upon the petitioner for marrying her the present case has been filed and medical report shows that she is aged 18-19 years and no case under Section 376 IPC is made out against him.

Heard learned APP also.



Having heard both sides and in the facts and circumstances, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Araria Mahila P.S. Case No. 29 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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