

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36276 of 2019

Arising Out of PS. Case No.-240 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MD. HASIB ALAM Son of Late Md. Nasimuddin Resident of Village -
Navranga, P.S.- Azamnagar, Dist.- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi W/o Om Prakash Resident of Village - Hura Hajra, P.S.-
Azamnagar, Dist.- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Md. Aslam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-09-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.CA 240/19 , registered for offences
punishable under Section 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape
upon the complainant.

Submission of the learned counsel for the petitioner is
that there is delay of four days in lodging the FIR and
moreover, there is no medical report available on the record to
support the prosecution case and she has also not come with a
case that she got herself examined by any Doctor or Hospital.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is direct allegation against the petitioner..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below within a period of two weeks from the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-VI, Katihar in connection with Compl. Case No.CA-240 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that he will co-operate in disposal of the complaint case and appear as and when required.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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