

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76645 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- RAUTA District- Purnia

Md. Rahim @ Bablu, son of Saiful Rahman, Resident of Village- Panki
Kanfuliya, P.S. Rauta, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate.
For the informant	:	Ms. Kumari Ritambhara, Advocate.
For the Opposite Party/s	:	Mr. Shyam Bihari Singh, A.PP.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-03-2019 Heard learned counsel for the petitioner, counsel for
the informant and the State.

The petitioner seeks bail in **Rauta P.S. Case No. 34 of 2018**, instituted for the offence under Section(s) 341, 323, 354, 376 and 120(B) of the Indian Penal Code.

Counsel for the petitioner submits that occurrence is alleged to have taken place on 7.3.2018 and case has been lodged on 11.03.2018 after lapse of four days without giving any valid reason.

It is alleged in the written report that the informant on 7.3.2018 at about 11-12 noon, had gone to the field for cutting grass for she-goat. It is further alleged that when she was returning to her house, petitioner caught her. He tied her



hands and brought her in a maize field and committed illegal act with her. The husband of the *Sarpanch* and Ward Member convened a meeting for *Panchayati* on 10.03.2018. In the *Panchayati* she was told to settle the matter after taking amount of Rs.2,50,000/- but the informant did not agree and went to her house. She was ousted by her father from the house asking her as to who will perform marriage with her. Thereafter, she went to the house of petitioner where she was assaulted by elder brother of the petitioner.

Counsel for the informant submits that victim (informant) was medically examined on 13.3.2018. The medical report has been enclosed as Annexure-2 wherein the Doctor has found no injury on her private part.

The informant has given statement under Section 161 Cr. P.C. before Mahila Police wherein she has stated that she wanted to marry with petitioner, but he was not ready to perform marriage with her.

Counsel for the informant has appeared and submitted that victim girl has given statement under Section 164 Cr. P.C. wherein she has levelled allegation against the petitioner of committing rape with her. She has further stated in her statement that petitioner has agreed to pay Rs.2,25,000/-



but she did not agree to take money.

Counsel for the petitioner submits that aforesaid statement has been recorded on 13th June, 2018 after three months of lodging of the case.

Petitioner is in custody since 13.09.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Purnea**, in connection with **Rauta P.S. Case No. 34 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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