

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44889 of 2019

Arising Out of PS. Case No.-152 Year-2015 Thana- KUMAR KHAND District- Madhepura

MD. RIYAZ KHAN @ RIYAZ KHAN Son of Abdul Khan. Resident of
Village- Kokraha, Baswari, P.S.- Jadia, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 30-09-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 366(A), 376/34 of the Indian
Penal Code.

Though allegation is of kidnapping and
commission of rape against the informant by the petitioner,
however, the entire incident disclosed by the informant would
reveal that she was a consenting party to go along with the
petitioner to different places and thereafter performance of
marriage with the petitioner. Consequently, she was pregnant
from the petitioner.

Considering the entire facts aforesaid, let the
petitioner, above named, be released on bail on furnishing bail



bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kumarkhand Police Station Case No.152 of 2015, subject to condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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