

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48527 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- GWALPARA District- Madhepura

MD. MAJHAR ALI Son of Md. Qayyum @ Kaum Alee @ Md. Kaijum
Resident of Village - Khokhsi, P.S.- Gwalpara, Dist. - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyavrat Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 376 of the Indian Penal Code.

According to FIR and the statement of the victim
recorded under Section 164 Cr.P.C., the petitioner came at the
house of the informant and thrashed at the door. Thereafter,
forcefully took away the informant from the place where her
two sisters were also sleeping and took her to some other place
and committed rape against her.

Submission is that false and concocted allegation is
there, just to pressurize as none of the two sisters were
examined by the police nor they gave their statement before the
learned Magistrate and it is highly unbelievable that when the
victim was being dragged by the petitioner alone she had not



made any alarm.

Considering the aforesaid suspicious circumstance of the case, 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 Gwalpara Police Station Case No. 55 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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