

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68016 of 2019**

Arising Out of PS. Case No.-79 Year-2017 Thana- MAHILA P.S. District- Araria

MD. RAHBAR S/o Mehruddin Resident of Village- Purwari Jhiruwa, Dhatta Tola, Ward No. 10, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhijeet Gautam

For the Opposite Party/s : Mr.Anand Kishore Choudhary

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 25-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Araria (Mahila) P.S.Case No.79 of 2017 , registered for offences punishable under Sections 376, 379 and 506/34 of the Indian Penal Code.

As per FIR, while the informant was coming, she met with the petitioner and other accused persons and thereafter she was taken by the co-accused and he has committed rape upon her and further allegation is that the petitioner and other accused persons have snatched mobile and another articles.

Submission of the learned counsel for the petitioner is that after recovery, she has made statement under Section 164 Cr.P.C. which is annexure-2 to this petition, in which she has



categorically stated that the petitioner is innocent.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, 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 SDJM, Araria in connection with Araria (Mahila) P.S.Case No.79 of 2017 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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