

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3332 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- GORAUL District- Vaishali

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1. Md. Imran @ Md. Imran Khan Son of Mukhtar Khan Resident of Village - Mahamadpur Pojha, P.S.- Goraul, District - Vaishali.
 2. Salman Khan @ Md. Salman Khan Son of Sikandar Khan Resident of Village - Mahamadpur Pojha, P.S.- Goraul, District - Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioners and learned
A.P.P for the State.

The petitioners seek bail in **Goraul P.S. Case No. 185 of 2019**, registered for the offences punishable under Sections 376, 307 and 34 of the Indian Penal Code and sections 4, 6 and 8 of the POCSO Act.

Petitioner no. 1 is alleged to have committed rape upon the informant. Petitioner no. 2 is alleged to have attempted to commit rape upon the informant.

It is submitted that petitioners have falsely been implicated in this case. Informant is a major lady. In fact, there is love affair between the informant and the petitioner no. 1 and



parents of the informant did not like petitioner no. 1. The dispute between the parties has already been resolved outside the court. Nikah was performed on 12.07.2019 of the informant and petitioner no. 1 as per Muslim rites. The informant is residing with the petitioner no. 1 as wife and husband. Petitioners are in custody since 02.12.2019 having clean antecedent.

Considering the facts aforesaid, the petitioners above-named, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Additional Sessions Judge Ist-cum-Special Judge, Hajipur, Vaishali** in connection with **Goraul P.S. Case No. 185 of 2019**, subject to the conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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