

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10338 of 2020

Arising Out of PS. Case No.-168 Year-2019 Thana- MAHILA P.S. District- Araria

MD. JUMMAN Md. Tabrej Alam Resident of Village- Bara Istambrar, P.S.-
Jokihat, Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 29-02-2020

Heard learned counsel for the parties.

This application for regular bail arises out of Araria (Mahila) P.S. Case No. 168 of 2019, disclosing offences punishable under Sections 376 and 379 of the Indian Penal Code.

It is alleged in the F.I.R. that the informant and the petitioner knew each other and the petitioner, on false assurance, had taken the informant to Araria, where they stayed together in a hotel room, where the petitioner forcibly established physical relationship with her and snatched her mobile phone and some other valuables.

Learned counsel appearing on behalf of the petitioner has submitted, referring to the first information report, that it is



the informant's own case that she had gone to Araria out of her own volition. He has relied on the injury report, which has been brought on record by way of Annexure 3 to the application, to submit that no recent sexual assault was found during the medical examination. The petitioner is in custody since 21.11.2019.

Considering the nature of the accusation in the F.I.R., this application is allowed.

Let the petitioner above named be released on bail furnishing bail bond of Rs.10,000/-(Rupees Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Araria (Mahila) P.S. Case no. 168 of 2019.

(Chakradhari Sharan Singh, J)

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