

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70719 of 2019**

Arising Out of PS. Case No.-8 Year-2019 Thana- RAUTARA District- Katihar

MD. FIROZ Son of Md. Zamal Resident of Village - Bhodu Tola, Chanpi,  
P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Makardhwaj Upadhyay  
For the Opposite Party/s : Mr.Narendra Kumar Singh

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

3      10-01-2020                      The petitioner seeks regular bail in connection with  
  
Rautara P.S. Case No. 08/2019, registered for offences  
  
punishable under Section 376/34 of the Indian Penal Code.

Allegation as per complaint petition, on the basis of  
which, F.I.R. has been registered is that the petitioner said to  
have committed rape upon the informant.

It has been submitted on behalf of the petitioner that he  
has falsely been implicated in this case and the police after  
investigation has not found the case true, however, on protest,  
cognizance has been taken by learned Magistrate. Further  
submission is that the complainant – informant is in habit of  
filing false cases as earlier also, she has filed a case against the  
petitioner and further she has also filed a case against her  
husband. Moreover, petitioner has been in custody for last seven



months.

Heard learned A.P.P. also.

Having heard both sides, in view of the above submissions, this application is allowed. Let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1<sup>st</sup> Class, Katihar, in connection with Rautara P.S. Case No. 08/2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

**(Vinod Kumar Sinha, J)**

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