

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65800 of 2021**

Arising Out of PS. Case No.-386 Year-2017 Thana- KAHALGAON District- Bhagalpur

MD. BABAR Son of Md. Jalil Ansari Resident of Village - Hassanpur, P.S. -
Amarpur, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Indeshwari Prasad Mandal
For the Opposite Party/s	:	Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-05-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 406, 420 and later on 376 of the Indian Penal Code.

As per the F.I.R., this petitioner along with other accused persons cheated the informant on the pretext that they would manage job for the informant and taken Rs. 30,000/-. It is further submitted that there is contradiction between the fard-beyan and the statement recorded under Section 164 Cr.P.C. of the informant. Though in her statement recorded under Section 164 Cr.P.C. she has stated that the petitioner has also committed rape against her taking her to Dumka, but in her fardbeyan she has not whispered about committing rape against her by the petitioner.



Learned counsel for the petitioner submits that he has falsely been implicated in this case. Petitioner denies the allegation and submits that doctor has not found any sign of rape. The petitioner has no criminal antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Rasalpur) P.S. Case No. 386/2017, subject to condition as laid down under section 438(2) of the code of criminal procedure.

(Prabhat Kumar Singh, J)

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