

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17763 of 2024

Arising Out of PS. Case No.-774 Year-2017 Thana- ARARIA District- Araria

Mahmood S/O- Mojahid @ Mujahid @ Md. Jahid R/O- Village- Bandoliti
Pokharia, Ward No.- 11, P.S.- Araria (BAIRGARCHHI), Dist.- Araria.

... .. Petitioner/S

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.Tr. No.14 of 2024 arising out of Araria (Bairagachhi) P.S.
Case No.774 of 2017 lodged under Sections 376, 120B and 34
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against four named accused persons including the
petitioner against whom there is allegation of rape in the F.I.R..

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the victim is major and the physical relation has been
developed between them. He submits that the present position is
that the victim has already married having two kids as



mentioned in paragraph-13 of the bail petition.

5. Counsel further submits that petitioner is in custody since 04.01.2024 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that it is a case of 2017 and petitioner is in custody since 04.01.2024.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **3 months after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I-cum- Special Judge, Araria in connection with S.Tr. No.14 of 2024 arising out of Araria (Bairagachhi) P.S. Case No.774 of 2017, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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