

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.13230 of 2020

Arising Out of PS. Case No.-468 Year-2019 Thana- RANIGANJ District- Araria

MD. MAKTOOR ALAM @ MD. MAKTOOR @ MAKTOOR, aged about 25 years, Male, Son of Ganif, Resident of Village - Rahikpur Ward No. 02, Police Station - Raniganj (R.S.), District – Araria ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 30-06-2020

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the state through video conferencing.

The petitioner seeks bail in connection with Raniganj P.S. Case No. 468 of 2019, registered under Sections 363 and 366A of the Indian Penal Code.

The accusation is that the daughter of the informant, Bibi Parveen, aged about 15 years was accompanied by Bibi Afsana on 18.12.2019 at about 02.00 p.m. at Customer Service Center, while Bibi Afsana returned, but, her daughter did not return, she made query about her daughter from Bibi Afsana and she informed that her daughter is coming with her brother, boarding on motorcycle, but, till late hour the daughter of the informant did not come, search was made. Later on, it revealed that Md. Maktoor Alam (petitioner), Ganif, Bibi Nazrana, Bibi Afsana and Nausad, under conspiracy, enticed away her minor daughter with bad intention.

Submission is that the informant and the petitioner are next door neighbours and due to love affairs daughter of the informant had gone with the petitioner, but, after lodging the case she returned to her



parental house, thereafter, her statement under Section 164 of the Criminal Procedure Code was recorded in which she has not stated about her movement with Bibi Afsana rather she disclosed that she had gone to Bank to withdraw the amount, then, this petitioner asked to accompany, but, she refused on which some intoxicated liquid was put on her nose, then, she became unconscious and, thereafter, she was found in a room and rape was committed on her. The police came and recovered her. Further, submission is that aged of the victim, in medical examination, has been assessed in between 17 to 19 years. The petitioner is in custody since 26.12.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Raniganj P.S. Case No. 468 of 2019 to the satisfaction of the Additional Chief Judicial Magistrate, VI, Araria.

(Rajendra Kumar Mishra, J)

Shamshad/-

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