

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14892 of 2015

Arising Out of PS.Case No. -562 Year- 2014 Thana – RASALPUR (KAHALGAON) District-
BHAGALPUR

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1. Parshuram Mandal Son of Late Chaudhary Mandal

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 10-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Originally, the case was registered under Sections
354 B/506 of the Indian Penal Code but it appears from the
impugned order that subsequently, Section 376 of the Indian Penal
Code was also added.

According to prosecution case itself, the alleged
occurrence took place on 06.12.2014 at 06:00 PM and just after
the alleged occurrence, the informant's husband came there and
thereafter the petitioner ran away. It is also an admitted position
that on 09.12.2014 i.e. after three days of the alleged occurrence,
the informant gave written report to officer in charge of concerned
police station but in written report she, nowhere, stated that she

was raped by the petitioner rather she only stated that petitioner tried to catch her. However, the statement of informant was recorded on 12.12.2014 under Section 164 of the Cr.P.C. and in the aforesaid statement, she stated the story of rape.

The contention on behalf of the petitioner is that informant, later on, developed the story of rape under the influence of her husband as well as enemies of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds 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 Rasalpur (Kahalgaon) P.S. Case No. 562 of 2014.

(Hemant Kumar Srivastava, J)

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