

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10117 of 2015

Arising Out of PS.Case No. -49 Year- 2014 Thana -PARBATTa District- BHAGALPUR

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Amit Roy Son of Late Indradeo Roy Resident of Village- Japteli, Police
Station- Parbatta, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-05-2015 Learned counsel for the petitioner is permitted to

make necessary correction in the prayer portion of the bail petition

as the case has already been committed and the same is pending

before the learned Addl. District and Sessions Judge II,

Naugachia.

Heard both sides.

The petitioner seeks regular bail in a case registered

under Section 376 and other sections of the Indian Penal Code.

The prosecutrix made allegation that while she was

keeping watch on her maize field, the petitioner came and

committed rape with her. The occurrence took place on

05.05.2014 but the complaint petition was filed on 19.06.2014, on

the basis of which, the present F.I.R. was lodged on 17.09.2014. It

is submitted that there is litigation between the parties from

before. It would appear from Annexure-3 that a proceeding under Section 107 Cr.P.C. was instituted. The petitioner is in jail since 21.01.2015.

It appears that after 1½ months of the occurrence, the complaint petition was filed by the prosecutrix.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned 2nd Addl. District and Sessions Judge, Naugachia, District Bhagalpur in Parbatta P.S. Case No. 49 of 2014 bearing S.C. 78/2015.

(Prabhat Kumar Jha, J)

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