

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 34571 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -MAHILA P.S. District- NAWADA

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1. Md. Sohail Akram @ Md. Sohail, S/o Late Md. Moinuddin, Resident of
Village Datraul, P.S. Pekri Barawan, District Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Rais, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-01-2015

Heard both sides.

The petitioner Md. Sohail Akram @ Md. Sohail seeks regular bail in Mahila P.S. Case No. 10 of 2014, registered for the offences punishable under Sections 376 and 354 of the Indian Penal Code.

The victim made allegation that the petitioner entered into her house and committed rape with her at about 11:00 in the morning on 01.05.2014.

Learned counsel for the petitioner submits that the victim-informant filed Complaint Case No. 629 of 2014 naming five person as accused for the occurrence alleged to have taken place on 01.05.2014 but she did not disclose about the present occurrence which also took place on 01.05.2014. In the aforesaid complaint petition, the victim named Md. Sohail Akram as

witness no. 3. The present First Information Report was filed on 06.05.2014 alleging that the occurrence took place on 01.05.2014 and she made Sohail Akram as accused. It appears that after six days of the occurrence, the victim filed this case making allegation that the petitioner committed rape with her on 01.05.2014 but on 03.05.2014 she filed Complaint Case No. 629 of 2014 and did not disclose anything about the rape committed on her on 01.05.2014. She made five person accused in the complaint petition and alleged that they outraged her modesty. In that case, the petitioner was made a witness. The doctor did not find any sign of rape.

Considering the facts aforesaid, the petitioner, above named, 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 Special Judge, Nawadah in connection with Mahila P.S. Case No. 10 of 2014, G.R. No. 1150 of 2014.

(Prabhat Kumar Jha, J)

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