

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37262 of 2015

Arising Out of PS.Case No. -303 Year- 2004 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

=====

Rudal Mahto, S/o Late Deo Narayan Mahto, resident of village- Dhokani
Done, P.S.- Gobardhana (Gobarahiya Done) District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sheela Devi, W/o Shri Dharmendra Mahto, resident of village- Dhokani
Done, P.S.- Gobardhana (Gobarahiya Done) District- West Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Umanath Mishra(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 376 and 452 of the Indian Penal Code.

Allegation against the petitioner is that he committed
rape upon the complainant.

It has been submitted on behalf of the petitioner that he is
in custody since 10.5.2015. He has got no criminal antecedent.
There is no allegation of tampering with the evidence. From
perusal of the complaint petition it appears that allegation of rape
has been lodged by the complainant against petitioner in the year
2014. Perused the lower court records. There is no service of
summon or warrant upon petitioner. Further, from the solemn
affirmation of the complainant it is evident that when the court
offered for a medical examination of the complainant, she refused
to get her medical examination conducted.

On behalf of the State, it is submitted that the petitioner is named in the complaint.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bagaha, West Champaran, in connection with Tr. No. 2203 of 2011 arising out of Complaint Case no. C-303/2004.

(Sudhir Singh, J)

sudip/-

U		T	
---	--	---	--