

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44452 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana –MADHEPUR R.S. SHIVIR District-
MADHUBANI

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Vijay Kumar Sadai Son of Ram Prasad Sadai R/o Village Berma, P.S.
Madhepur, District Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 04-03-2015 A supplementary affidavit has been filed. Let it
be taken on record.

Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence
punishable under Sections 341, 342, 323 and 376 of the
Indian Penal Code.

The allegation against the petitioner is to have
committed rape on the prosecutrix.

It is submitted that although there is allegation of
committing rape against the petitioner but in her
statement under Section 164 Cr. P.C. the
prosecutrix/victim has stated that the petitioner confined
her in the field and tried to commit rape. The doctor has
also found no sign of rape and the age of the
prosecutrix/victim has been estimated as 16 to 18 years.
The petitioner has no criminal antecedents. After
investigation chargesheet has already been submitted and
there is no chance of tampering with the witnesses.

Considering the facts and circumstances of this case, the above-named petitioner is directed to be released 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 A.C.J.M., Jhanjharpur in Madhepur R. S. Shivir P. S. Case no. 82 of 2014 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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