

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40821 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -DAGARUA District- PURNIA
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Prabhakar Bishwas Son of Suresh Bishwas Resident of Village -
Mahalbari, Police Station - Dagarwa, District - Purnia.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party
=====

Appearance :

For the Petitioner : Mr. Ranjay Kumar Singh

For the Opposite Party : Mr. Arun Kumar Singh 5 (App)
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 04.01.2015 in
a case instituted under Sections 376, 384 and 120B of the Indian
Penal Code.

As per allegation, it is a case of rape upon the victim
Radha Kumari a dump girl aged about 24 years, who was raped in
her own house by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 04.01.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has got no criminal
antecedent. From perusal of para-98 of the case diary, it would

appear that the victim was examined by the doctor and the doctor could not give any positive finding in respect to the commission of rape upon the victim. Petitioner has falsely been implicated in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

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) with two sureties of the like amount each to the satisfaction of Smt. Shachi Mishra, Judicial Magistrate, Ist Class, Purnia in connection with Dagarwa P.S.Case No.10 of 2015.

(Sudhir Singh, J)

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