

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45046 of 2015

Arising Out of PS.Case No. -42 Year- 2014 Thana -BALUA BAZAR District- SUPAUL

Binod Kumar Sardar Son of Bachchelal Sardar Resident of village -
Laxminia, Police Station - Balua Bazar, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Ashok Kumar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 341, 323, 363, 366A, 376 and 504/34 of the Indian Penal Code.

Allegation against the petitioner is to have kidnapped and committed rape upon the complainant.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 17.7.2015. Chargesheet has been submitted in the present case. There is no allegation of tampering of evidence against the petitioner. From perusal of the complaint case it appears that love affairs between the parties has been admitted. Subsequently, vide Annexure-3, a petition has been filed in the court below where it has been admitted that the present prosecution case has been brought due to mistake of fact.

On behalf of the State, it is submitted that petitioner is named in the F.I.R.

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 Addl. Chief Judicial Magistrate, Supaul, in connection with Balua Bazar P.S. Case no. 42 of 2014.

(Sudhir Singh, J)

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