

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42935 of 2014

Arising Out of PS.Case No. -145 Year- 2013 Thana -THAKURGANJ District- KISANGANJ

Mithun Singh, Son of Khogendra Singh, Resident of Village-Khuniabhita,
P.S.- Thakurganj, District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha

For the Opposite Party/s : Mr. Ramshankar Das(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 04-03-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since 28.08.2014 in a case registered for the offences punishable under Sections 376 of the Indian Penal Code and 3(1) (xii) of SC/ST (Prevention of Atrocities) Act.

It is alleged that the petitioner established forceful physical relationship in the open filed with the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 26.06.2013 at 3.00 P.M. the FIR was registered on 16.07.2013. The victim was medically examined on 17.07.2013 which does not suggest any sign of rape. The occurrence admittedly took place in the open filed but there is

no witness to the occurrence.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the delayed lodging of the case, statement has been made in para 3 of the petition that the petitioner has no criminal antecedent, moreover, during investigation no witness have come to support the prosecution case, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Kishanganj in connection with Thakurganj P.S. Case No. 145 of 2013.

(Dinesh Kumar Singh, J)

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