

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34612 of 2015

Arising out of PS.Case No. -301 Year- 2014 Thana -SHERGHATI District- GAYA

Ranjay Prasad, S/o Ayodhya Prasad, resident of Village Sirasa, P.S. Raushanganj, District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sudhir Kumar Sinha, Advocate.

For the Opposite Party : Mr. Ram Shankar Das(Spl.App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 01.11.2014 in connection with Sherghati P.S. Case No. 301 of 2014 for the offences instituted under Sections 376, 406, 420 of the IPC and 3(2)(V) of the SC/ST (Prevention of Atrocities) Act.

The prosecution story, in brief, is that the petitioner committed rape with the daughter of the informant Lakhan Ravidas twice after deceiving her and her father for solemnization of marriage.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 01.11.2014 and the charge sheet has been submitted

in the case. There is no allegation of tampering with the evidence. The alleged occurrence is said to have taken place on 14.10.2014 and FIR has been instituted on 31.10.2014, no explanation has been made on behalf of the prosecution in respect to delay in institution of the case. From perusal of the medical report of the doctor it appears that no sign of rape is said to have been found upon the victim.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 SDJM, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 301/2014.

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(Sudhir Singh, J)