

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38651 of 2014**

Arising Out of PS.Case No. -242 Year- 2013 Thana -WARISNAGAR District- SAMASTIPUR

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1. Pradeep Kumar Rai Son of Laddu Lal Rai Resident of Village - Sari,  
P.S. Warisnagar, Mathurapur OP District - Samastipur.

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate.

For the Opposite Party/s : Mr. Anita Kumari(APP)

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**CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI**  
**ORAL ORDER**

3      20-01-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioner, namely, Pradeep Kumar Rai, in connection with Warisnagar (Mathurapur O.P.) Police Station Case No. 242 of 2013, under Section 366(A) of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Jitendra Narayan Sinha, learned counsel for the petitioner, and Ms. Anita Kumari, learned Addl. Public Prosecutor, appearing on behalf of the State.

In view of the fact that the accused above-named has been in custody since 11.07.2014 and in her statement, recorded under Section 161 of the Code of

Criminal Procedure, the alleged victim had not stated that she had been subjected to rape by the accused-petitioner, though allegation of commission of rape has been made in her statement under Section 164 Cr.P.C. and perusal of the materials available does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of Sri Kumar Rishikesh, learned Judicial Magistrate, 1<sup>st</sup> Class, Samastipur.

In terms of the above directions, this bail application shall stand disposed of.

**(I. A. Ansari, J.)**

Mkr./-

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