

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39484 of 2014

Arising Out of PS.Case No. -736 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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DILIP KUMAR YADAV, SON OF LATE DURGA PRASAD YADAV,
R/O VILLAGE - BAGHAWA TIKAKPATTI, DISTRICT- PURNEA.

.... PETITIONER.

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY.

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr. Dr. M.K.Gautam(APP)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 14-01-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with

Complaint Case No. 736 of 2012 registered under Section 376 of

the Indian Penal Code.

The accusation is that the petitioner forcibly

committed rape at the complainant, Shobha Devi in the field,

where she was sprinkling the fertilizer in the crops and her minor

daughter was also present there.

Learned counsel for the petitioner submits that, in fact,

petitioner is the nephew of the complainant, Shobha Devi. There

was dispute of ridge of field in between the husband of the

complainant and the petitioner, Panchayat was arranged in which

Panchayat found the fault of husband of complainant on 26.02.2012. Due to that reason the petition got implicated by the husband of the complainant in the present case with allegation of committing rape at the complainant. It is further submitted that while on court question in course of inquiry the complainant has stated that her husband was present in the field near the P.O. but this fact has not been narrated by the complainant in the complaint petition. It is further submitted that petitioner has no criminal antecedent and is in custody since 13.06.2014.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the J.M. Ist Class, Purnea, in connection with Complaint Case No. 736 of 2012.

(Rajendra Kumar Mishra, J)

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