

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37832 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

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1. Ashok Mishra S/o Parsuram Mishra resident of village - Madhukarpur,
P.S. Dinara, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 05-11-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is said to have committed rape twice on the informant and in that course one teeth of informant was broken but the medical report does not support the aforesaid allegation as no teeth of informant was found broken nor doctor gave a definite finding. The statement of informant was recorded under section 164 of the Cr.P.C in which she repeated the accusation but slightly changed and stated that in course of occurrence petitioner bit her but she has nowhere stated about her broken teeth.

The contention on behalf of the petitioner is that no such occurrence as alleged in the first information report did ever take place and as a matter of fact, petitioner has been roped in this

case on account of dirty politics and is languishing in jail custody since 24.04.2015.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Rohtas in connection with session trial no. 321 of 2015 arising out of Dinara P.S.Case No. 46 of 2014.

(Hemant Kumar Srivastava, J)

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