

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36286 of 2015

Arising Out of PS.Case No. -31 Year- 2013 Thana -DEORIYA District- MUZAFFARPUR

Ashok Ram S/o Late Ramjee Ram resident of village - Neknampur, P.S.
Deoria, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Diwakar Prasad Karn

For the Opposite Party : Mr. C.Jawahar(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in jail since 22.12.2014 in
a case instituted under Section 376 of the Indian Penal Code.

It is alleged by the informant that on 08.02.2013, her
modesty was outraged by the petitioner in absence of her husband.

It has been submitted on behalf of the petitioner that
petitioner has got no criminal antecedent. He is in custody since
22.12.2014. Chargesheet has been submitted in the case. The
alleged occurrence is said to have taken place on 08.02.2013 but
the case was instituted on 20.04.2013.

There is no explanation on behalf of the prosecution in
respect to delay in institution of the case. From para-44 of the case

diary, it would appear that the victim was taken for medical examination but she refused to get herself examined which cast serious doubt against the prosecution.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner 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 learned 7th Additional Sessions Judge, Muzaffarpur in connection with Deoria P.S.Case No.31 of 2013 (Sessions Trial No.54 of 2015).

(Sudhir Singh, J)

B.Kr./-

U		T	
---	--	---	--