

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1651 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

=====

Ajit Kumar @ Kushwaha @ Munna Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shally Kumari

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 15-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 27.11.2014 in a case registered for the offences punishable under Sections 323 and 376 of the Indian Penal Code.

It is alleged that the informant went to ease out when this petitioner ravished her, on alarm being raised, the father in law of the informant came and took her home but the petitioner escaped from the scene.

It is submitted by the learned counsel for the petitioner that for the occurrence of 23.6.2014 the FIR was registered on the basis of written report on 2.7.2014. Prior to that, the petitioner side filed Complaint Case No. 1186C of 2014 making accusation under sections 323,452,380,384,406,426 and 504/34 IPC against informant side. Though the victim has supported the accusation in 164 Cr.P.C. statement but

she was medically examined on 2.7.2014 which does not suggest any evidence with regard to rape.

Considering the fact that there is no explanation for delayed lodging of the case, medical examination report of the victim and statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, 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 CJM, West Champaran, Bettiah in connection with Bettiah Mufassil (Manua Pool) P.S. Case No. 253 of 2014.

(Dinesh Kumar Singh, J)

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