

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2020 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -KORHA District- KATI HAR

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Md. Kalam S/o Murshid Alam Resident of Village - Musapur Merghi Tola;
P.S. - Korha, District - Katihar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshuman Jaipuriyar

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 19-01-2015

Heard learned counsels for the petitioner and

the State.

The petitioner is languishing in custody since
20.11.2014 in a case registered for the offences punishable under
Section 376 of the Indian Penal Code.

The accusation is of establishing forceful
physical relationship with the informant on 20.06.2014.

It is submitted by learned counsel for the
petitioner that for the occurrence of 20.06.2014 the complaint was
filed on 18.07.2014 which came to be registered as police case on
02.09.2014. It is further submitted that since the daughter of the
petitioner lodged case against her husband and father-in-law
making accusation under Section 498A of the IPC, hence, the

husband of the daughter of the petitioner has set up the present informant to file the present case. It is also submitted that the victim was not medically examined till date. Moreover, from the accusation the case under Section 376 of the IPC is not made out, it only suggests the attempt to commit rape.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 157 of 2014.

(Dinesh Kumar Singh, J)

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