

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8681 of 2015

Arising Out of PS.Case No. -9 Year- 2014 Thana -SONO District- JAMUI

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Brainandan Mandal @ Birju Mandal, Son of Muneshwar Mandal, Resident
of Village - Dhawatiya, P.S. - Sono, District Jamui.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash Parasar, Advocate.

For the Opposite Party : Mr. Prem Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 06-05-2015 Heard both sides.

The petitioner seeks bail in Sono P.S. Case No. 9 of 2014, registered for the offences punishable under Section 376 and other Sections of the Indian Penal Code.

The victim made allegation that she was going to the house of the petitioner to take tuition, but the petitioner committed rape with her and also took photographs and sent the photographs to the relatives of the prosecutrix.

Learned counsel for the petitioner submits that the prosecutrix is a major lady. She filed a case after 1½ months of the occurrence. The doctor did not find any sign of rape. It is further submitted that the doctor has not assessed the age of the victim. The victim is a major girl.

Learned APP did not dispute the facts.

It appears that the victim is a major and she alleged that the petitioner committed rape with her, but she did not report this matter immediately after the occurrence. The case was lodged after 1½ months of the occurrence. The petitioner has already remained in jail for more than six months.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui, in connection with Sono P.S. Case No. 9 of 2014.

(Prabhat Kumar Jha, J.)

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