

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41769 of 2015

Arising Out of PS.Case No. -269 Year- 2014 Thana -ROSERA District- SAMASTIPUR

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CHANDRA SHEKHAR YADAV@ CHAND SHEKHAR YADAV, son of
Late Nunu Lal Yadav, resident of village-Dewanpur, P.S.-Rosera, Distt.-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Mushtaque Alam

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 376 of the Indian Penal Code and 4 of the Protection of
Children from Sexual Offences Act.

Allegation against the petitioner is to have committed
rape upon the informant.

It has been submitted on behalf of the petitioner that he is
in custody since 26.6.2015. Chargesheet has been submitted in the
present case. There is no allegation of tampering of evidence
against the petitioner. Petitioner has falsely been implicated in the
present case. There is admitted land dispute between the parties
and in respect to that there is number of cases pending between the
parties. From perusal of the medical report (Annexure-5) it would
appear that doctor has found no spermatozoa. There is no positive
finding given by the doctor with respect to the allegation made in
the F.I.R.

On behalf of the State, it is submitted that the petitioner is
named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Rosera at Samastipur, in connection with Rosera P.S. Case no. 269 of 2014.

(Sudhir Singh, J)

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