

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34623 of 2015

Arising out of PS.Case No. -204 Year- 2014 Thana -TRIVENIGANJ District- SUPAUL

Md. Mustkim, S/o Md. Hasim, resident of Village Baghla, Ward No. 3,
Police Station Tribeniganj, District Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arun, Advocate.

For the Opposite Party : Mr. M.K.Nirala(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is languishing in custody since 05.10.2014
in connection with Sessions Trial No. 111/2015, arising out of
Tribeniganj P.S. Case No. 204 of 2015 for the offences instituted
under Sections 363, 366A and 376 of the IPC.

It is alleged that the petitioner enticed away the minor
daughter of the informant and committed rape with her.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. The petitioner is in
custody since 05.10.2014 and the charge sheet has been submitted
in the case. There is no allegation of tampering with the evidence.
The date of occurrence is said to be 28.09.2014 but the case was

instituted on 04.10.2014, no explanation has been made on behalf of the prosecution in respect to delay in institution of the case. The medical report of the victim do not support the allegations made in the FIR.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 the learned Additional Sessions Judge-IIInd, Supaul, in connection with Sessions Trial No. 111/2015, arising out of Tribeniganj P.S. Case No. 204/2014.

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(Sudhir Singh, J)