

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37338 of 2015

Arising Out of PS.Case No. -4 Year- 2015 Thana -DIGHALBANK District- KISANGANJ

1. Md. Akbar son of Abdul Salam, resident of Village- Singhimari, Police Station- Kodhobari, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in a case registered under
Sections 376 and other allied Sections of the Indian Penal Code.

The allegation against the petitioner is of committing
rape upon the informant.

It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11.1.2015. Charge sheet has
been submitted in this case. Though the allegation against the
petitioner is that he had taken the informant forcibly but from
perusal of the case diary it appears that the informant being
accompanied with the petitioner never made any complaint to any
one while she was traveling to Delhi or returning from Delhi. This

conduct on the part of the informant would go to show that she had left with the petitioner with consent. Later on, for oblique reason she got the present case instituted against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the facts aforesaid, let 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 Additional Sessions Judge, Kishanganj in S.T.No. 302 of 2015 (A) arising out of Dighalbank P.S.Case No.004 of 2015.

(Sudhir Singh, J)

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