

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32082 of 2016

Arising Out of PS.Case No. -13 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

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Avinash Kumar Roy son of Kamal Kishore Roy resident of Village-
Baliarpur, P.O. Chauki Haripur Police Station- Kadhwa, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 376 of the Indian Penal Code.

The allegation against the petitioner is of committing
rape upon the informant, after entering into her room in the night.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.04.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has falsely
been implicated in the present case. In para-33 and 34 of the case
diary, it has been stated that there was a love affair between the

petitioner and the victim but since the petitioner belonged to different caste, same was not liked by the parents of the victim. Hence, the present case has been instituted. It is further submitted that the petitioner may be released after completion of six months in custody i.e. from 24.04.2016.

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, after completion of six months in custody i.e. from 24.04.2016, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Kishanganj, in connection with Kishanganj Mahila P.S. Case No. 13 of 2016.

(Sudhir Singh, J.)

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