

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32813 of 2016

Arising Out of PS.Case No. -8 Year- 2013 Thana -NOKHA District- SASARAM (ROHTAS)

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Ramji Ram, Son of Late Kamru Ram, resident of Village- Rampur, Police
Station- Nokha, District- Rohtas (Sasaram)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-10-2016 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 376, 341, 323 and 505/34 of the I.P.C.

The prosecution story, in brief, is that on 8.1.2013 at
about 7 P.M. the informant's daughter was returning to her home,
the petitioner forcibly took her away in khalihaan and committed
rape upon her.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 16.07.2015 and 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 is alleged
to have committed rape upon the victim as per the F.I.R.

Subsequently the victim has been examined under Section 164 Cr.P.C., where she speaks about attempt to rape by the petitioner. The medical examination report in paragraphs 56 and 57 of the case diary indicates that absolutely no sign of rape was found upon the victim. The date of occurrence is 08.01.2013 whereas the case was instituted on 17.01.2013. The delay has not been explained by the prosecution.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Nokha P.S. case No.8 of 2013.

(Sudhir Singh, J)

Narendra/-

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