

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34993 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -MAHILA PS District- KATIHAR

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Awadhesh Thakur S/o Late Sakal Thakur, R/o- Kataria, P.S.- Kursela,
Distt- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vikramdeo Singh, Advocate.
Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party : Smt. Pronoti Singh, APP-44.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 21-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 376, 506 of the Indian Penal Code and 3(II) D.V. Act.

The allegation against the petitioner is that while the
informant was sleeping with her children, the petitioner forcibly
committed rape on her.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 27.06.2016. 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 happened
to be a railway employee. Subsequently, after his voluntary

retirement, he got his second son appointed in his place. The victim is the daughter-in-law of the petitioner. Due to property dispute, she got the present prosecution against the petitioner, being aggrieved with the appointment of the second son of the petitioner. The date of occurrence is 12.03.2016. The case was instituted on 17.03.2016. The daughter of the victim has also been examined along with other witnesses, in para-10 and 11 of the case diary. They have not supported the allegations made by the informant. The medical report also do not support the allegations made by the informant.

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 S.D.J.M., Katihar, in connection with Katihar Mahila P.S. Case No. 25 of 2016.

(Sudhir Singh, J.)

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