

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45227 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -BARGANIA District- SITAMARHI

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Nawal Mahto @ Nawal Kumar son of Jiya Lal Mahto Resident of Village-
Parsauni, P.S.-Bairganiya, District- Sitamarhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party : Mr. Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bairganiya P.S. Case No. 238 of 2015 for the offences
instituted under Sections 376 and 313/34 of the IPC.

The prosecution story, in brief, is that this petitioner
repeatedly committed rape with the informant who is a minor and
taken her naked photographs on his mobile for the purpose of
defame in society. On complain, parents of this petitioner
promised to marry their daughter with this petitioner but the
victim was treated and her abortion was made by the parents of
this petitioner for purpose of conceal the pregnancy of the
informant.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case due to ulterior motive. The matter has been compromised between the parties vide Annexure-3 to the present application.

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 in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bairganiya P.S. Case No. 238/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st, Special Judge, Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

