

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33497 of 2016**

Arising Out of PS.Case No. -450 Year- 2015 Thana -MUFFASIL District-  
WESTCHAMPARAN(BETTIAH)

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1. Husmuddin S/o Mustakim Mian, Resident of village- Durganagar, New  
Bus Stand, Ward No. 38, Bettiah (T) District- West Champaran.

.... .... Petitioner

Versus

1. The State of Bihar .... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar -2

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

ORAL ORDER

2 24-08-2016

Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner wants to renew his prayer of bail, which  
was earlier rejected vide order dated 29.03.2016 passed in Cr.  
Misc. No. 53265 of 2015, on the ground that the victim informant  
during examination in the court in her deposition vide paragraph  
24 has specifically stated that the petitioner has not committed  
rape with her and as such the petitioner deserves sympathetic  
consideration to which learned APP fairly submits that during  
cross-examination the victim has not supported the prosecution  
version.

In the facts and circumstances stated above and now  
under the changed circumstances, the petitioner above named is  
directed to be released on bail on execution of bail bond of Rs.

10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge-cum-Special Judge, Bettiah, West Champran in connection with Bettiah Muffasil P.S. Case No. 450 of 2015 (SGR No. 69 of 2015), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

avin/-

**(Jitendra Mohan Sharma, J)**

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