

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36157 of 2016

Arising Out of PS.Case No. -376 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

=====

1. Md. Hakim @ Md. Hakeem Son of Hazi Abdul Sattar, Resident of
Village- Sant Nagar Chanka, P.S. K. Nagar, (Champa Nagar) District
Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the State : Mr. Umanath Mishra, APP

For the Informant : Ms. Kumari Ritambhara, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner, the State and

the informant.

The petitioner seeks bail in a case instituted for the
offences under Section 376 of the I.P.C.

Allegation is that the petitioner had committed rape
upon the informant's daughter.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 24.6.2016 and the charge sheet
has been submitted in the present case. There is no allegation of
tampering of witnesses alleged against the petitioner. He has
falsely been implicated in the present case due to previous enmity
between the parties. Annexures-2 and 3 go to suggest that the

parties are in litigating term prior to the institution of the present case. The uncle of the victim in paragraph 23 of the case diary has stated that the petitioner has falsely been implicated in the present case. Medical examination report of the victim (Annexure-4) does not support the allegations made in the F.I.R.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and has actively participated in the alleged occurrence.

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, Purnea in connection with K. Nagar (Champanagar) P.S. case No.376 of 2015.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--