

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51007 of 2016

Arising Out of PS.Case No. -82 Year- 2014 Thana -TARAIYA District- SARAN

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Rajesh Rai, son of Chandrika Rai, resident of Village- Madhopur Bara,
P.S.- Taraiya, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 323 and 307/34 of the I.P.C. Later on, Section 376 I.P.C. was added.

The prosecution story, in brief, is that on the alleged date and time of occurrence the informant along with her sister had gone to attend call of nature, in the meantime the accused persons including the petitioner due to previous dispute assaulted her by fists and slaps. When the sister of the informant raised alarm, then the accused persons fled away.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 4.5.2016 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. Case was instituted for an offence under Section 307 and other allied Sections of the I.P.C. The allegation is of assaulting by fists and slaps. Subsequently in course of investigation the informant has made allegation of commission of offence under Section 376 I.P.C. There is no medical report to support the allegations made regarding the commission of rape.

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 A.C.J.M. IX, Saran at Chapra in connection with Taraiya P.S. case No.82 of 2014.

(Sudhir Singh, J)

Narendra/-

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