

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55595 of 2015

Arising Out of PS.Case No. -67 Year- 2015 Thana -MAHILA PS District- GOPALGANJ

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Mahesh Thikedar @ Mahesh Mahto S/o Late Gyani Mahto resident of
village - Khairatwa, P.S. Kuchaikote, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 15-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Gopalganj (Mahila) P.S. Case No. 67 of 2015 registered for the
offences punishable under Sections 376(D), 120(B) of the Indian
Penal Code.

Learned counsel for the petitioner submits that though
the allegation of rape has been leveled against the petitioner but no
sign of rape has been found on the person of the informant, as per
the medical evidence. It is further submitted that only on account
of the fact that there was dispute with regard to the payment of
wages which on account of unforeseen circumstances had been
delayed on the part of the petitioner that the present case has been
lodged making false and frivolous allegation.

Learned counsel for the State after perusal of the case diary submits that save and except the allegation made in the FIR, there is no material available on record so as to establish the allegation of rape against the petitioner.

Considering the aforesaid submissions and also the fact that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj in connection with Gopalganj (Mahila) P.S. Case No. 67 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

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