

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1906 of 2016

Arising Out of PS.Case No. -253 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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Ravi Kumar, Son of Yogendra Mandal, resident of Village- Yageshwarpur,
Police Station- Shiv Narayanpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 08-03-2016

Heard learned counsel for the petitioner and

learned counsel for the State as well as learned counsel appearing
on behalf of the Informant.

Petitioner is accused in connection with
Kahalgaon P.S. Case No. 253 of 2015 registered under Sections
448 and 376 of the I.P.C.

The accusation is of entering the petitioner in the
house of the informant on 30.06.2015 at about 4.00 am., in the
morning and committed rape forcibly by causing assault at her
while she was sleeping at that time along with two children. The
informant tried to catch the petitioner, but he succeeded to flee
away and on raising alarm, neighbours gathered and asked her for
arranging the Panchayat but in the Panchayat, the petitioner did
not turn up.

Learned counsel appearing on behalf of the petitioner

submits that in fact, the petitioner and informant are next door neighbour and he has been falsely implicated in this case due to village politics. It is also submitted that while it is alleged that the Panchayati was arranged regarding the said occurrence, but no any witness has supported the arrangement of the Panchyati in the village. While the victim was medically examined on 01.07.2015, on the date of occurrence at evening but no sign of rape was found. It is further submitted that petitioner has no criminal antecedent and is in custody since 14.07.2015. Moreover, in this case charge-sheet has been submitted.

Having considered the facts and circumstances of the case, let the above named petitioner 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 Judicial Magistrate, 1st Class, Bhagalpur in connection with Kahalgaon P.S. Case No. 253 of 2015 (G.R. No. 2321 of 2015).

(Rajendra Kumar Mishra, J)

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