

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5254 of 2016

Arising out of PS.Case No. -69 Year- 2015 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

Chandan Kumar Mahto, S/o Sri Ramashray Mahto R/o Vill- BishanPur,
Chaturbhuj, P.S.- Begusarai Muffasil Dist- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shubhesh Pandey

For the Opposite Party : Mr. Parmanand Prasad (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 07.03.2015
in connection with Begusarai Muffasil P.S. Case No. 69 of 2015
for the offences instituted under Section 376 of the IPC.

The prosecution story, in brief, is that in the evening of
06.03.2015 at about 7.00 P.M., while the informant went to attend
the call of nature in the field, the petitioner arrived there and
offered Rs. 5,000/- or whatever demand of the victim. Further, it
has been stated that the accused persons started scuffling with her
and after opening the clothes he committed rape and threatened
her and also told her to come whenever he call.

Earlier bail application of the petitioner was rejected vide order dated 16.07.2015 passed in Cr. Misc. No. 22125 of 2015 with a direction to the trial court to expedite the trial and conclude the same within a period of five months. The liberty was also granted to the petitioner to renew his prayer for bail. The said direction and observation was made taking into account that the victim was examined by the doctor but no sign of rape or any mark of violence was found on the body of the victim.

A report has been submitted by the trial court. From perusal of the said report, it appears that the case has already been committed to the Court of Sessions and charge has not yet been framed in the case.

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 the learned J.M. Ist Class, Begusarai, in connection with Begusarai Mufasil P.S. Case No. 69 of 2015.

U.K./-

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

(Sudhir Singh, J)