

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16216 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -KORHA District- KATI HAR

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1. Bharat Tatma S/o Baidyanath Tatma, R/o Village Makhdumpur, Pawai,
P.S.- Korha, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Ahmad Ali(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 376 of the Indian Penal Code.

Petitioner is said to have committed rape on the
informant but submission on behalf of the petitioner is that
petitioner is nephew of the informant and as a matter of fact, there
was some land and partition dispute between the parties as a result
whereof, the informant lodged this false case. It is further
submitted that according to prosecution case, the alleged
occurrence took place in the night of 23.03.2015 but the informant
filed complaint case on 25.03.2015 and no explanation of the
aforesaid delay has been given.

From perusal of the impugned order, I find that investigation against the petitioner has already been completed and petitioner has already been charged for the offences.

Therefore, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-V, Katihar in connection with Sessions Trial No. 34 of 2016 arising out of Korha P.S. Case No. 164 of 2015.

(Hemant Kumar Srivastava, J)

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