

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17000 of 2016

Arising out of PS.Case No. -142 Year- 2015 Thana -BACHWARA District- BEGUSARAI

Pankaj Das, Son of Lakshman Das, resident of village- Rani-3 Chamoban Tola, P.S.- Bachhawara, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party : Mr. R.S. Chaudhary (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-05-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is languishing in custody since 10.08.2015 in connection with Bachhawara P.S. Case No. 142 of 2015 for the offences instituted under Section 376 of the IPC.

The prosecution story, in brief, is that on 01.08.2015 at about 8.00 P.M., the informant Ruma Devi had gone to natural call in the east side of house towards Bansbitti. When she got up, then her cousin Dewar Pankaj Das aged about 25 years, who was in drunken condition, caught her, dashed her on the ground and forcibly committed rape with her. The informant tried to raise hulla, the accused pressed her mouth. Thereafter she went to the house and slept. Further alleged that at about 1.00 P.M., she

narrated the entire story to her father-in-law and Dewar and also told the blood is oozing, then her father-in-law brought her to village doctor for treatment.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 10.08.2015 and the charge sheet has been submitted in the present case. From perusal of the medical examination report of the victim, it is evident that no sign of sexual assault upon the victim was found.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let 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 Additional District & Sessions Judge-IV, Begusarai, in connection with Sessions Trial No. 249 of 2016, arising out of Bachhawara P.S. Case No. 142 of 2015.

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(Sudhir Singh, J)