

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23521 of 2016

Arising out of PS.Case No. -29 Year- 2015 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Lal Jee Rajwar @ Doma, Son of Kanhaiya Rajwar @ Kanhai Rajwar,
resident of village - Rediya, Police Station Tilouthu, District – Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Aravind Nath Pandey, Advocate.

For the Opposite Party : Mr. Nityanand Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 10-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 13.08.2015
in connection with Dehari Mahila P.S. Case No. 29 of 2015 for the
offences instituted under Section 376 of the IPC.

The accusation is of committing rape by the petitioner
upon the informant.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 13.08.2015 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. The
petitioner and the informant are the residents of the same village.
He has falsely been implicated in the present case due to some

political enmity. The victim has made her specific allegation in the F.I.R., and in 164 Cr. P.C. statement regarding the commission of rape but the independent witnesses examined in paragraph no. 06 of the case diary have denied the commission of rape rather they have stated that an attempt of rape was made by the petitioner. The Medical Examination Report (Annexure-2) also do not support the allegation of commission of rape. The petitioner has remained in custody for one year.

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 1st Additional District & Sessions Judge, Rohtas at Sasaram in connection with Dehari Mahila P.S. Case No. 29 of 2015 (Sessions Trial No. 711 of 2015).

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(Sudhir Singh, J)