

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49196 of 2015

Arising Out of PS.Case No. -75 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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Murari Sahu @ Murari Sah Son of Ghuran Sahu resident of village -
Dhaushahi, P.S. Phulpras, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 365, 498 and 376 of the Indian Penal Code.

Allegation against the petitioner is of committing rape upon the informant.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. Though the alleged date of occurrence is said to have taken place from 2.3.2015 to 21.3.2015 but for such a long period no case is said to have been made against the petitioner. Subsequently, on 24.3.2015 the case was instituted against the petitioner. From perusal of Annexure-3 it is evident that the informant has filed a petition in the court below stating therein that the present case has been instituted due to mistake of fact.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest or surrender in the

court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani, in connection with Phulpras P.S. Case no. 75 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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