

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11716 of 2017**

Arising Out of PS.Case No. -57 Year- 2014 Thana -DANDKHORA District- KATI HAR

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Bitka Hembram, Son of Dhen Hembram , Resident of Baritola, P.S.-  
Dandkhora, District- Katihar.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
ORAL ORDER

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3      21-06-2017                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner seeks bail in connection with Dandkhora P.S.  
Case No.57 of 2014 registered under Section 376 of the Indian Penal  
Code.

The accusation is that the petitioner and the co-accused  
Sanjay Besra forcibly carried the informant, who was cutting the grass  
in the maize field, and committed rape on her.

Learned counsel appearing on behalf of the petitioner  
submits that one Krishnadeo Mahto took Rs.5,00,000/- from the co-  
accused Sanjay Besra on the pretext of tracing out the gold on digging  
the soil. Thereafter, when the co-accused Sanjay Besra started to make  
demand of the aforesaid money, Krishandeo Mahto got managed to



implicate the co-accused Sanjay Besra and this petitioner in this false case. Further submission is that on medical examination of the informant, no injury was found on the private part of the body of the informant. The witnesses, in paragraphs-7 and 8 of the case diary, who firstly met the informant, stated that the informant did not disclose them the name of the petitioner. Furthermore, the petitioner having no criminal antecedent is in custody since 10.02.2017 and on investigation, the police has already submitted chargesheet against the petitioner.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar, in connection with Dandkhora P.S. Case No.57 of 2014. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

**(Rajendra Kumar Mishra, J)**

**P.S./-**

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