

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60640 of 2017

Arising Out of PS.Case No. -228 Year- 2017 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Tunna Paswan @ Tun-Tun Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 13-12-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in S. Tr. No. 1099 of 2017 arising out of Harsidhi P.S. Case No. 228 of 2017 registered under Sections 376 and 379 of the Indian Penal Code.

The petitioner is said to have committed rape against the daughter of the informant while she had gone to graze her she-goat.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case at the instance of Munna Thakur as he lost the election for the post of Mukhiya on opposition by the petitioner. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure has denied committing of rape against her, but she has



divulged that the petitioner had disrobed her and himself and pressed her boob. Bail petition of the petitioner was earlier rejected by this court vide order dated 19.08.2017 passed in Cr. Misc. No. 39570 of 2017 with liberty to renew his prayer for bail after framing of charge and now the charge against the petitioner in the case has been framed on 18.10.2017. The petitioner has been languishing in custody since 15.06.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged 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 6th Additional Sessions Judge, Motihari, East Champaran in connection with S. Tr. No. 1099 of 2017 arising out of Harsidhi P.S. Case No. 228 of 2017.

(Prakash Chandra Jaiswal, J)

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