

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5859 of 2017

Arising Out of PS.Case No. -185 Year- 2015 Thana -DAUDPUR District- SARAN

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1. Araj Singh S/o Late Sahdev Singh Resident of Village- Tajpur
Phulwaria, P.S.- Manjhi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 08-03-2017

Heard.

The petitioner is in custody since 22.11.2016 in connection with Daudpur P. S. Case No. 185 of 2015 registered for an offence under Sections 498 (A), 354, 376, 307 and 34 of the Indian Penal Code.

The complainant lodged the case against her husband and her close relatives alleging therein that after her marriage which took place in the year, 2008, her husband and his relatives started torturing her for dowry. The petitioner, is Nandoi of the victim and allegation is that the petitioner engaged the husband of the victim in service in Ghaziabad and taking undue advantage of his status in the family committed rape on complainant in the year 2009, just before Holi festival. She has leveled allegation of attempt of rape against her Dewar also in the year, 2015.



Learned counsel for the petitioner submits that the petitioner is employed in a different company and husband of the complainant is also working in different company since before the employment of the petitioner. The present case has been lodged in the year 2015, however allegation of rape relate to year, 2009 which shows that the story of rape has been cooked up to harass the petitioner. The husband of the complainant had filed two interlocutory petitions in the year 2010 and 2014, which show that the husband had apprehension of false implication at the instance of complainant. The petitioner is in custody since 22.11.2016.

Learned counsel for the informant as well as A.P.P. opposes the prayer for bail.

Considering the omnibus allegation of torture as also allegation of rape against the petitioner, which has been levelled after eight years alleged occurrence, let the above named petitioner 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 Shri Mahendra Prasad Yadav, learned Judicial Magistrate 1st class, Chapra in connection with Daudpur P. S. Case No. 185/2015.

(Sanjay Kumar, J)

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