

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40282 of 2017

Arising Out of PS.Case No. -90 Year- 2013 Thana -HATHAURI District- SAMASTIPUR

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1. Raushan Poddar Son of Dinesh Poddar, R/o Village & P.S.- Baheri,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 06-09-2017 Heard both sides.

The petitioner seeks bail in Hathauri P.S. Case No. 90 of 2013, corresponding to Sessions Trial No. 363 of 2015, registered for the offences punishable under Sections 366, 376 and 120(B) of the Indian Penal Code.

Prayer for bail of the petitioner was earlier rejected vide order dated 13.04.2015 passed in Cr. Misc. No. 7208 of 2015 and thereafter again rejected on 22.02.2017 passed in Cr. Misc. No. 3405 of 2017 with an observation that the petitioner may renew his prayer for bail after examination of the victim.

Learned counsel for the petitioner submits that the victim has already been examined on 31st May, 2017. The deposition of the victim is annexed as Annexure-5 in which she



did not support her case that the petitioner kidnapped her and committed rape with her. The petitioner is in jail since 04.08.2014. The petitioner has already remained in jail for more than three years.

Considering the facts that the petitioner is in jail for more than three years and the victim during the course of trial did not support her case, the petitioner above named 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 learned Additional Sessions Judge, Rosera, Samastipur in Hathauri P.S. Case No. 90 of 2013, corresponding to Sessions Trial No. 363 of 2015.

(Prabhat Kumar Jha, J)

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