

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38097 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -JOKIHAT District- ARRARIA

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Sanjay Kumar Bishwas @ Sanjay Kr. Bishwas, son of Ramanand Bishwas,
resident of village Karihat Genhua, P.S. Jalalgarh, District Purnea.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 10-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in Jokihat P.S. Case No.64
of 2017 registered under Sections 341, 366 and 376 of the Indian
Penal Code.

As per the prosecution case, petitioner is said to
have kidnapped the informant on way to his house and committed
rape on him.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the said occurrence. He has
neither kidnapped the victim nor committed rape. The victim in
her statement under Section 164 Cr.P.C. has candidly denied the
complicity of the petitioner in the occurrence. She has stated that
she had escaped to her brother-in-law (Jijajee) out of her sweet



will on the date of occurrence. The learned Magistrate has found the victim to be 20 years at the time of recording her statement. The petitioner has been languishing in custody since 26.03.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged 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 learned A.C.J.M. II, Araria in connection with Jokihat P.S. Case No.64 of 2017.

(Prakash Chandra Jaiswal, J)

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