

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52931 of 2017**

Arising Out of PS.Case No. -16 Year- 2017 Thana -MAHILA P.S. District- SIWAN

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Vijay Kumar Shah @ Bijay Kumar Shah, son of Lalmohar Shah, resident of  
village Satjora Mathia, P.S. Darunda, District Siwan

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      14-11-2017                      Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions  
Trial No. 440 of 2017, arising out of Siwan Mahila P.S.Case No.  
16 of 2017 registered for the offences punishable under Section  
376 of the Indian Penal Code.

Allegation as per FIR is that petitioner was found in  
objectionable condition with one lady and case has been lodged  
under Section 376 IPC.

Submission of learned counsel for the petitioner is that he  
has falsely been implicated in this case and she has not supported  
the prosecution case of rape in her statement and petitioner is in  
custody for five months.

Heard learned APP also.

Having heard both sides and in view of facts and



circumstances, as stated above, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-VI, Siwan, in connection with Sessions Trial No. 440 of 2017, arising out of Siwan Mahila P.S.Case No. 16 of 2017, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

**(Vinod Kumar Sinha, J)**

spal/-

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