

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1899 of 2017

Arising Out of PS.Case No. -401 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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Md. Jamal, Son of Abdul Samad, Resident of Village-Paika Gola Kamalpur,
P.S. Sadar Muffasil, District Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 02-02-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sadar Muffasil P.S. Case No.401 of 2016 registered under Section 376 of the Indian Penal Code, pending in the court of the Chief Judicial Magistrate, Purnea.

The accusation is that on 19.10.2016 at about 08.00 P.M., the informant alongwith her mother-in-law and Gotni had gone to the house of this petitioner for sorcereing from where the informant was taken to a lonely place by this petitioner, where this petitioner committed rape on the informant. At that time, the petitioner also threatened the informant for not disclosing about



the occurrence to anyone.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner has knowledge of Ayurvedic Medicine and he used to provide the Ayurvedic Medicine in the village and on asking by the husband of the informant to come to his house, the petitioner did not go the house of the informant, due to that reason, this false case has been lodged against the petitioner.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the contention that the informant has supported the allegation, as made in the F.I.R., in her statement recorded under Section 164 of the Code of Criminal Procedure.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner for the present. Accordingly, the prayer of the petitioner for grant of bail stands rejected for the present.

(Rajendra Kumar Mishra, J)

P.S./-

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