

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5647 of 2017

Arising Out of PS.Case No. -64 Year- 2016 Thana -JAMUI District- JAMUI

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1. Mahesh Ram, son of Late Jagan Ram, resident of Bodhwan Talab, P.S.-
Jamui, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-04-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Jamui P.S. Case No. 64 of
2016 instituted for the offence under Sections-452, 457, 380, 376
of the Indian Penal Code.

It is alleged in the complaint that in the night, this
petitioner entered into room of the complainant and committed
rape with her and when she tried to raise alarm, her mouth was
closed with her Sari.

It has been submitted on behalf of the petitioner that
occurrence is said to have taken place on 04-02-2016 and the
complaint has been filed after delay of a period of four days i.e. -
09-02-2017. This complaint was sent to the police u/S 156(3) of
the Cr.P.C.



C.D. has been received.

In the C.D., the independent witness in paragraph-9 has not supported the case of rape. He has stated that there was sound of Chor-Chor although the sons of complainant in their statement in paragraphs-7 & 8 of the C.D. have supported the occurrence. There is no medical evidence of the victim in the case diary. In paragraph-3, it has been mentioned that petitioners have no criminal antecedent. The petitioner is said to be in custody since 05-12-2016.

Considering the above facts and circumstances, this petition for bail is allowed and the petitioners named above, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Jamui P.S. Case No. 64 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Jamui subject to condition that both the bailors should be close relatives of the petitioner.

It is made clear that the petitioner will not tamper with the evidence or try to harass the victim after release on bail; otherwise, the bail bonds of the petitioner will be cancelled.

(Sanjay Priya, J)

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