

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33058 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -BAUSI District- PURNIA

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1. Md. Ansar @ Ansar Alam @ Guddu S/o Md. Atik @ Md. Atikur Rahman, Resident of- Sakarbalia, P.S. Baisi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Ritambhara

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Baisi P.S. Case No. 69 of 2017 corresponding to Sessions Trial No. 215 of 2017, CIS No. 215 of 2017 instituted for the offence under Section-376 of the Indian Penal Code.

It has been submitted that prior to this case, the petitioner had filed Baisi P.S. Case No. 197 of 2014 against husband, brother-in-law and another members of the informant for the offence under Sections-341, 323, 324, 307, 504, 506/34 of the Indian Penal Code.

The instant case has been lodged as a counter blast.

As per allegation in the written report, when the informant returned after attending the call of nature, this petitioner was found inside her room and as soon as she went in her room, this petitioner after closing her mouth committed rape with her. The informant raised



alarm and thereafter, her mother-in-law and sister-in-law came and closed the door of the room, in which the petitioner was present. After arrival of villagers, the room was opened and a Panchayati was held but no any fruitful result could come out.

The victim was medically examined just after two days of occurrence i.e. on 21-04-2017. The injury report is annexed as Annexure-2 wherein the doctor has found no sign of sexual assault at the time of examination. Her age was found between 20-21 years. The petitioner is in custody since 21-04-2017.

In such circumstances, prayer for bail is allowed. The petitioner named above is 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 Baisi P.S. Case No. 69 of 2017 corresponding to Sessions Trial No. 215 of 2017, CIS No. 215 of 2017 to the satisfaction of learned ADJ-Vth, Purnea subject to condition that both the bailors should be close relative of the petitioner.

(Sanjay Priya, J)

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