

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49325 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -JURAWNUPUR District- VAISHALI(HAJIPUR)

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Munna Singh, S/o Sri Umesh Singh, R/o Village- Raghapur (West), P.S.-
Jurawanpur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr.Advocate

For the Opposite Party/s : Mr. Y.V.Giri, Sr.Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-11-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Jurawanpur P.S. Case No. 35 of 2017, registered for the offences
punishable under Sections 363 and 366A of the Indian Penal
Code.

Allegation against the petitioner is of committing
kidnapping and rape upon the daughter of the informant on the
assurance of providing job to her.

Submission of learned counsel for the petitioner is that
the whole prosecution case is false and concocted, which will
appear from the statement of the girl recorded under Section 164
Cr.P.C. in which she is stated to be aged 18-19 years assessed by
Medical Board. Further submission is that paragraph-181 of the



case diary shows his false implication as informant being Mukhiya of the village has falsely implicated this petitioner and he is in custody since 8.8.2017.

Heard learned APP and learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail stating that there is allegation against the petitioner of committing rape upon daughter of the informant on the assurance of providing job and, as such, it is a clear case of rape against the petitioner.

Having heard both sides and in view of facts and circumstances, as stated above, as well as the statement under Section 164 Cr.P.C. and her age has been assessed at 18-19 years by Medical Board, 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 Chief Judicial Magistrate-VIII, Vaishali at Hajipur, in connection with Jurawanpur P.S.Case No. 35 of 2017, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,



(2) Petitioner will 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)

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