

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10133 of 2018

Arising Out of PS.Case No. -439 Year- 2017 Thana -SHASTRINAGAR District- PATNA

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1. Rajeev Ranjan, son of Sri Ajay Kumar, Resident of Rampari Apartment,
Flat No. 302, West Patel Nagar, P.S.- Shastrinagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Pravin Kumar, Adv.
Mr. Shashank Shekhar, Adv.
Mr. Malay Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the

offence punishable under Section 376 of the Indian Penal Code.

According to FIR, the petitioner who was known

to the informant entered into her house in the morning at 10:30
a.m. on 05.08.2017 and ravished her.

Submission of the learned counsel for the

petitioner is that false allegation was lavelled after breakup of

relation between the two. The landlady in whose house the

informant was tenant has stated before the police vide para 87 of

the case diary that the informant was seen moving along with the

petitioner on motorcycle on different occasions. On the date of



occurrence, she heard nothing about the said occurrence. He further submits that the Doctor examined the victim on the same day and found no sign of physical assault.

Learned counsel for the State pointed out that the victim has supported the allegation in her statement under Section 164 Cr.P.C.

Considering the fact that the prosecution allegation is not supported by the medical evidence and there appears to be some suppression of fact of past relation between the two, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Shastrinagar Police Station Case No. 439 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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