

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38111 of 2018

Arising Out of PS. Case No.-48 Year-2018 Thana- HABIBPUR District- Bhagalpur

=====

MUKESH KUMAR DAS @ MUKESH DAS, Son of Ramdeo Das,
Resident of Village- Nilkanth, P.S. Tilkamanjhi, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey

For the Opposite Party/s : Mr. Ganesh Prasad Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
05.03.2018 in connection with Habibpur P.S. Case No. 48 of
2018 for offences punishable under Sections 376 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that the petitioner entered her house and committed rape on her.
He also took away Rs. 70,000/- from her.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and there
was a land transaction for which the petitioner had given Rs.
70,000/- and just to usurp the said money such false allegation
has been levelled. He submits that in fact he was assaulted by the



informant and her family members for which there is a medical report and that the victim lady was examined and there was no sign of rape. He further submits that a false and concocted case has been lodged against the petitioner, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- XII, Bhagalpur, in connection with Habibpur P.S. Case No. 48 of 2018.

(Nilu Agrawal, J)

Rajesh/Pragya

U		T	
---	--	---	--

