

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67846 of 2018

Arising Out of PS. Case No.-105 Year-2013 Thana- BIDUPUR District- Vaishali

AKHILESH RAI @ AKHILESH KUMAR @ KHILESH RAI, Son of
Radheshyam Ray @ Radhe Rai, Resident of Village- Bihunpur Said Ali P.S.-
Bidupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar
For the Opposite Party/s : Mr. Smt. Rita Verma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-11-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bidupur
P.S. Case No. 105 of 2013 instituted for the offence under
Section(s) 366, 372/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
occurrence is alleged to have taken place on 25.1.13 whereas
the complaint has been filed on 27.2.2013 The victim girl has
not produced herself for medical examination. The statement
of the victim girl has been recorded U/s 164 Cr.P. C., which is
annexed as Annexure-2 to the bail petition, wherein, she has
stated her age to be 20 years. She has stated that while she had
gone for call of nature the petitioner along with one Sunil Singh



took her on train after giving some cloth to smell on account of which she became unconscious. When she regained her consciousness, she found herself confined in the room and both committed illegal act with her. But the victim girl has not produced herself for medical examination to support such allegation.

The petitioner is in custody since 13.6.2018 having no criminal antecedent.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 105 of 2013, subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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