

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52057 of 2018

Arising Out of PS. Case No.-45 Year-2018 Thana- MAHILA P.S. District- Siwan

Sumit Kumar S/o Vidya Sah, R/o Vill.- Purandarpur, P.S.- Goreya Kothi,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 02-11-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Siwan Mahila P.S. Case No. 45 of 2018
registered for the offences punishable under Section 376 (D) of
the Indian Penal Code.

Allegation against the petitioner is of committing
rape with the informant (victim) on the point of pasuli, while
she was returning her home after meeting her friend on the eve
of Eid festival.

It has been submitted on behalf of the petitioner
that petitioner is innocent and has committed no offence. The
date of occurrence is 16.06.2018 but the F.I.R. has been lodged
on 21.06.2018. There is no explanation of delay in lodging the



F.I.R. Petitioner has no criminal antecedent and he is in custody since 24.06.2018. It has been further stated that similarly placed co-accused Suraj Kumar has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 59880 of 2018 vide order dated 08.01.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Siwan, in connection with Siwan Mahila P.S. Case No. 45 of 2018.

(S. Kumar, J.)

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