

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68375 of 2018

Arising Out of PS. Case No.-186 Year-2017 Thana- BIKRAM District- Patna

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Arun Mistry, aged about 52 years, son of Late Prabhu Mistry, Resident of
Village- Bangla Par, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshuman

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in Connection with Bikram P.S.
(Patna) Case No. 186 of 2017 instituted for the offence under
Section(s) 376 of the Indian Penal Code.

It is alleged in the written report that on 02.07.2017
at about 9.30 A.M. while informant reached at Bank to do duty
as Daily Wage Earner, this petitioner caught hold her and
forcibly committed rape with her by putting her down.

Learned counsel for the petitioner has submitted that
the story appears to be doubtful that on 02.07.2017, day
Saturday at about 9 A.M. informant had gone to do duty as
Daily Wage Earner, whereas on 02.07.2017 it was Sunday and
the said Bhartia Bank was closed then how aforesaid incident



could take place. Victim lady has been medically examined. Copy of Medical Report is annexed as Annexure-2, wherein doctor has not found any spermatozoa. Doctor has also opined that it is difficult to say whether rape has occurred or not.

Victim was medically examined on 25.08.2017.

Petitioner is in custody since 26.04.2018.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate-IV, Danapur, Patna** in connection with Bikram P.S. (Patna) Case No. 186 of 2017 , subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

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