

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58986 of 2018

Arising Out of PS.Case No. -579 Year- 2018 Thana -AHIYAPUR District- MUZAFFARPUR

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Mukesh Kumar @ Mukesh Yadav, S/o Krishan Dev Ray, Resident of
Mishrauli, Gaighat, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Sri Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 08-10-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Ahiyapur
Police Station Case No. 579 of 2018 registered for offences
punishable under sections 376 and 506/34 of the Indian Penal
Code.

As per FIR, one Indrajeet Kumar with the help of this
petitioner and other co-accuseds kidnapped the informant and
kept confined in a room. The said Indrajeet Kumar forcibly
committed rape with her on two occasions.

It has been submitted that allegation of kidnapping
and committing rape is specific against Indrajeet Kumar which
was subsequently denied by the informant by filing a petition



before the court below. The informant has voluntarily married with Indrajeet Kumar and they are presently living together happily as husband and wife. The petitioner is in custody since 22.06.2018 having clean antecedent.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur Police Station Case No. 579 of 2018, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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