

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59132 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- ANTI District- Gaya

Rambriksh Yadav @ Ramvriksh Yadav, Son of Late Rupchand Yadav,
resident of Village Dukhibigha, P.S.- Anti, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Advocate.
For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in Anti P.S. Case No. 39 of
2018 instituted for the offence under Section 376 of the Indian
Penal Code.

In the written report it is alleged that while informant
was working in the field of petitioner along with her younger
cousin father-in-law and his wife, petitioner came in drunken
condition and pushed her on the ground. Thereafter, he forcibly
caught hold and committed rape with her.

Counsel for the petitioner submits that occurrence is
said to have taken place in the open field on 17.5.2018 at 2:30
p.m. afternoon which is *prima facie* not believable. Counsel for
the petitioner further submits that Doctor in the Medical Report



has not found any symptoms of present intercourse. There was no any abnormal finding noted by the Doctor in the Medical Report.

Case diary has been received.

Learned A.P.P. has submitted that victim (informant) has given statement under Section 164 Cr. P.C. in which she has supported the case. Counsel for the petitioner further submits that petitioner is villager and he has been implicated in this case because of dispute with regard to payment of wages.

Petitioner is said to be in custody since 18.05.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. 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 learned Additional Chief Judicial Magistrate-VII, Gaya, in connection with Anti P.S. Case No. 39 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

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(Sanjay Priya, J)

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