

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22265 of 2018

Arising Out of PS. Case No.-476 Year-2017 Thana- LAKHISARAI District- Lakhisarai

Mukesh Kumar, Son of Shambhu Ram, resident of Village- Sansarpokhar,
P.S.- Kabaiya, District- Lakhisarai (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Smt Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 25-06-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Lakhisarai (Kabaiya) P.S.Case No. 476 of 2017 registered under Section 376/34 of the Indian penal Code.

Allegation in brief is that informant's married sister is deaf and dumb and had gone to purchase vegetables in the market in the meanwhile, petitioner enticed her away and brought under Railway Bridge and it is alleged that he along with one of his associate friend committed rape.

Submission is that petitioner has been falsely implicated and informant's sister is a married lady and it is alleged in the FIR that rape was committed under the Railway Bridge but during investigation place of occurrence is mentioned at another place and there is no evidence with regard to commission of rape.



Having considered the aforesaid facts and circumstances, the petitioner, namely , Mukesh Kumar, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 476 of 2017 with condition that one of the bailor must be his close family member. Petitioner shall remain physically present on each and every date during trial and in case of failure on two consecutive dates without any reasonable cause, his bail bond shall be liable to be cancelled.

(Arun Kumar, J)

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