

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50191 of 2018

Arising Out of PS. Case No.-96 Year-2017 Thana- MAHILA PS District- Darbhanga

SHARWAN CHAUPAL @SHRAWAN CHAUPAL, S/o Harihar Chaupal,
Resident of Village- Harisingpur, P.S.- Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasudeo Ram

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-10-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Mahila P.S. Case No. 96
of 2017 instituted for the offence under Section(s) 376 and 506
Indian Penal Code.

It is alleged in the written report that this petitioner
took the informant on motorcycle to Shyama Mandir and
thereafter he stopped the motorcycle at lonely place and
committed rape with her.

Learned counsel for the petitioner has submitted that
informant is niece of this petitioner. Petitioner has no criminal
antecedent. The Medical report issued by the doctor does not
find any external injury on private part of the victim. The FIR



has been lodged after delay of five days.

Learned APP for the State has submitted that victim has supported the allegation in her statement recorded U/s 164 Cr.P.C. which is available at para 16 of the case diary. Medical report has been annexed as Annexure-4 wherein the doctor has stated that no suspicious substances as foreign hair were seen on her body or clothes worn by her at the time of examination. No evidence of any external injury was seen on any part of the body including genital area.

Petitioner is in custody since 21.5.2018.

Considering the aforesaid, 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 the SDJM Darbhanga, in connection with Mahila P.S. Case No. 96 of 2017 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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