

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3345 of 2019

Arising Out of PS. Case No.-21 Year-2016 Thana- MAHILA PS District- Gaya

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Nandlal Chaudhary late Raghu Chaudhary Resident of Village- Kurkihar, P.S.
Wazirganj, Distt. Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mahila P.S. Case No. 21 of 2016 registered for
the offence punishable under Section 376 of the Indian Penal
Code.

Informant has alleged that she alongwith other two
ladies had gone to clinic of Dr. Shiv Kumar Rajbanshi for
treatment where Dr. Shiv Kumar Rajbanshi gave two injections
to the informant and thereafter committed rape upon her. She
has further alleged that Dr. Shiv Kumar Rajbanshi also
threatened her to remain mum.

It has been submitted on behalf of the petitioner that



petitioner is not named in the FIR and he was arrested on the basis of his self statement before the police. It has been further submitted that statement of informant under Section 164 of Cr.P.C. has been recorded in which she has not taken the name of petitioner. Petitioner has no criminal antecedent and he is in custody since 30.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gaya, in connection with Mahila P.S. Case No. 21 of 2016 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution
will be at liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

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