

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3801 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- BEERPUR District- Begusarai

Vinod Das aged about 32 years, Male, Son of Kokai Das Resident of Village-
Barhara Ravidas Tola, Police Station- Birpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Dhar Jha

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-01-2019 Heard both sides.

The petitioner apprehends his arrest in Birpur P.S.
Case No.117 of 2018 registered under Sections 376 and 34 of
the Indian Penal Code.

The mother of the victim alleged that her minor
daughter had gone to the tubewell for water but she did not
return. Sujeet Kumar dragged her in a field and committed rape
with her. She further alleged that when she and her daughter
were going to lodge the case, petitioner and others who are
friends of Sujeet Kumar prevented her to lodge the case.

The learned counsel for the petitioner submits that the
victim made her statement under Section 164 Cr.P.C. She did
not make any allegation against the petitioner. She simply
disclosed that the petitioner and others were not allowing the



victim and her mother to come out from the house to lodge the case. It is further submitted that petitioner has got no manner of concern with the occurrence but he has falsely been implicated in the case.

Considering the aforesaid facts and nature of allegation made against the petitioner and the fact that petitioner is of course villager of the victim but there is no allegation of outraging the modesty of the victim against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Begusarai in connection with Birpur P.S. Case No.117 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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