

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.95 of 2019

Arising Out of PS. Case No.-89 Year-2018 Thana- MAHILA P.S. District- Nalanda

Mukesh Mistry, son of Chandeshwar Mistry @ Chanesar Mistry @ Chandra Ishwar Misteri, Resident of Village - Pachaouri, P.S.- Deep Nagar, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Prasad Singh, Advocate.
For the informant	:	Mr. Raj Kishore Prasad, Advocate.
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 05-02-2019 Heard learned counsel for the petitioner, counsel for the informant and the State.

The petitioner seeks bail in **Mahila P.S. Case No. 89 of 2018**, instituted for the offence under Section(s) 376(D) of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence while her mother had gone to Tata and she along with her sister was sleeping in the house, at about 1:00 a.m. (night), four boys entered into the house and one person put pistol on her. It is further alleged that one boy committed illegal act with her after removing her shalwar. It is further alleged that boy who committed illegal act with the informant, has left his Mobile phone and pant. He is her neighbour and his name is Mukesh Kumar (petitioner).

The victim girl has given statement under Section 164



Cr. P.C. which has been enclosed as Annexure-3 wherein she has stated that all four persons have committed illegal act with her one after another.

Case diary has been received.

The victim girl (informant) has been examined and her Medical Report is available in paragraph-20 of the case diary wherein the Doctor has found no internal or external injury on the person of the informant.

Petitioner is in custody since 17.11.2018 having clean antecedent.

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 Sub Divisional Judicial Magistrate, Nalanda at Biharsharif**, in connection with **Mahila P.S. Case No. 89 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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