

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76806 of 2018

Arising Out of PS. Case No.-97 Year-2017 Thana- KATIHAR MUFFASIL District- Katihar

Dilip Kumar Singh, Son of Ram Udgar Mahto, Resident of Village-
Haflaganj, P.S.- Muffasil, District- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-01-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is languishing in custody since
06.08.2018 in connection with Katihar Muffasil P.S. Case No.97
of 2017 registered for the offences punishable under Sections
376, 313 of the Indian Penal Code.

Prosecution case as per the written report of Anguri
Khatoon submitted to Kaihari Muffasil P.S. is to the effect that
one year prior to lodging of the case, the informant went to the
petitioner to take the due wages of her mother at farm house
where the petitioner on a pistol point ravished her and took her
naked photograph and threatened her to circulate it publically
thereafter by blackmailing her, he continued to have physical
relation with her and when she got pregnant, the informant got



the pregnancy terminated by giving her some medicine, as a result, she became ill and revealed about the incident to her parents and when the parents of the informant asked the petitioner to marry her, he refused to marry with the informant.

It is submitted by learned counsel for the petitioner that FIR has been lodged after one year of the actual occurrence. It is further submitted that the case has been lodged against the petitioner only with intention of grabbing the land of the petitioner. The medical report suggest that the victim is aged about 18-19 years. Medical report does not suggest any external or internal injury.

Learned APP after going through the case diary submits that the specific accusation is against the petitioner and the chargesheet has been submitted.

Considering the delayed lodging of the case, the accusation not being corroborated with the medical opinion coupled with the statement made in paragraph no.3 to the effect that the petitioner is not having criminal antecedent, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs.10000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist



Class, Katihar in connection with Katihar Muffasil P.S. Case
No.97 of 2017.

(Dinesh Kumar Singh, J)

sanjeev/-

U		T	
---	--	---	--

