

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1537 of 2019

Arising Out of PS. Case No.-10 Year-2016 Thana- MAHILA P.S. District- Madhepura

Dilip Sharma, Son of Shiv Sharma, Resident of Village- Narayanpur Basa,
Police Station- Alam Nagar, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

5 28-03-2019 Heard learned counsel appearing for the petitioner
as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 7.9.2018 in connection with Mahila (Madhepura) P.S. Case No. 10/2016 registered for the offences punishable under Sections 341, 323, 376, 504 and 506/34 of the Indian Penal Code.

The allegation against the petitioner is that he committed rape on the informant on 14.2.2016 as the informant had refused to compromise previous case lodged by her against the petitioner. The medical report of informant goes to show that no sign of rape was found on her person and, furthermore, the doctor did not find any bruise or abrasion on any part of the body of the informant.

Learned counsel for the petitioner submits that, as a matter of fact, the petitioner is next-door neighbour of the



informant and earlier the informant had lodged Alam Nagar P.S. Case No. 128 of 2015 as well as Ratwara P.S. Case No. 128/2017 against the petitioner but after due investigation, police found the accusation untrue in Alam Nagar P.S. Case No. 128 of 2015.

Considering the aforesaid facts and circumstances as well as submissions of the parties, 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, Madhepura/concerned Court in connection with Mahila (Madhepura) P.S. Case No. 10 of 2016.

(Hemant Kumar Srivastava, J)

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