

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24196 of 2019**

Arising Out of PS. Case No.-1 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

VINOD RAM @ VINOD KUMAR @ VINOD KUMAR RAM Son of
Bijendra Kumar Ram @ Vijendra Ram Resident of Village - Bharigawa, P.S.-
Kudra, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 18-04-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
12.01.2019 in connection with Bhabua Mahila P.S. Case No. 01
of 2019, G.R. No. 102 of 2019 for offences punishable under
Sections 376/506 of the Indian Penal Code.

The prosecution case as lodged by the victim girl is
that while she was returning home after meeting her fiancé,
Dhiraj who did not want to marry her, she met the petitioner on
the way who said that he will leave her home, but in the way he
stopped the motorcycle and committed rape on her. In the early
hours of morning, she went and complained against the



petitioner before the police and accordingly, F.I.R. has been lodged.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent, the medical examination of the victim girl which is Annexure-2 of the present application was done on the same day and no signs of any rape was found and the age of the victim girl has been determined as 18 to 20 years as per the medical report which is mentioned in the impugned order. It is further submitted that the compromise petition was also filed before S.D.J.M, Bhabua on 15.02.2019 by the victim girl as contained in Annexure-3A. It is further submitted that the petitioner is languishing in judicial custody since more than three months for no fault of his.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials of record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Bhabua Mahila P.S. Case No. 01 of 2019, G.R. No. 102 of 2019, subject to the condition that one of



bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

devendra/priyanka

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