

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22797 of 2019

Arising Out of PS. Case No.-17 Year-2015 Thana- MAHILA P.S. District- Samastipur

INDU SINGH @ INDRADEO KUMAR SINGH Son of Satrudhan Singh
Resident of Village - Khairi, P.S.- Khanpur, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saroj Kumar Singh
For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 376 IPC registered in connection with Samastipur (Mahila) P.S. Case No. 17/2015.

3. It is submitted that the petitioner has been falsely implicated and after due investigation the police has not submitted charge sheet under Section 376 IPC and other penal Sections. The petitioner, a retired teacher aged about 65 years is the grand-father of Rajnish Singh who is said to have committed rape upon the informant and the accusations against the petitioner is highly improbable in nature. As evident from a perusal of the order of the learned Additional Sessions Judge on a perusal of the case diary that independent witnesses have not supported the prosecution case and the report of the medical board also did not corroborate the accusation of rape. The petitioner is accused in one prior case of different nature, in which he is on bail.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of Mr. RakeshRanjan, learned J.M. Ist Class, Samastipur in connection with Samastipur (Mahila) P.S. Case No. 17/2015 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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