

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24536 of 2019

Arising Out of PS. Case No.-468 Year-2018 Thana- SIKARPUR District- West Champaran

Birendra Paswan Son of Late Megha Paswan, Resident of Village-Bhasurari,
P.S-Shikarpur, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 376D of the Indian Penal Code.

Prosecution case in short is that at night, while the
informant was sleeping in her house, all the accused persons
including the petitioner entered into her house. It is further
alleged that the petitioner tied her mouth and in consequence
thereof, the accused persons are alleged to have committed rape
upon the informant.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 18-12-2018. Charge



sheet has already been submitted. The petitioner has been falsely implicated in the present case. A petition has been filed by the informant in the court below wherein she has retracted from her earlier statement made in the FIR. The medial report also does not support the allegation made in the FIR.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 468 of 2018.

(Sudhir Singh, J)

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