

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27831 of 2019

Arising Out of PS. Case No.-14 Year-2017 Thana- PURNEA SADAR District- Purnia

Md. Karia @ Karia Son of Md. Tamiz Resident of Barhari, P.S.- Sadar,
District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Khatim Reza

For the Opposite Party/s : Mr.Manish Kumar No2

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 342, 376 and 34 of the Indian Penal Code.

Prosecution case in short is that the accused persons
accompanied the victim/informant while she had gone to
market. It is further alleged that the accused persons got taken
tea to the victim/informant and thereafter, the accused persons
committed rape upon her.

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 04-01-2019. Charge sheet has
already been submitted. The petitioner has been falsely



implicated in the present case. A petition has been filed by the informant before the court below where she has retracted from her earlier statement made in the FIR. The said petition is Annexure-2 to the present application. The petitioner has been made accused in the present case due to mistake of fact.

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 learned Chief Judicial Magistrate, Purnea in connection with Sadar P.S. Case No. 14 of 2017.

(Sudhir Singh, J)

A.K.V.//-

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

