

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34304 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- MAHILA P.S. District- Nalanda

RAMASHISH MAHTO Son of Late Jagdish Prasad Resident of Village -
Bara Bigha, P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-06-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in Mahila P. S. Case No. 17
of 2019 instituted for the offence under Section(s) 376, 504 and
506 of the Indian Penal Code.

In the written report, it is alleged that on 18.2.2019 at
4PM while the informant along with her *gotani* had gone to
pluck Saag, the petitioner started abusing them on account of
which Gotani of informant fled away and informant fell down
and thereafter the petitioner forcibly committed rape with
informant.

Learned counsel for petitioner submits that occurrence
had taken place at 4 pm in the evening in the open field where
several persons were working, so there was no question of



committing rape upon the informant. It is further submitted that occurrence had taken place on 18.2.2019 whereas the FIR has been lodged on 22.2.2019 after delay of four days. Learned counsel further submits that victim was medically examined on the alleged date of occurrence i.e. on 22.2.2019 and the doctor has found no any evidence of recent sexual intercourse.

Learned counsel for informant has appeared and opposed the prayer for bail He submits that victim girl has also supported her case in statement recorded under Section 164 Cr.P.C.

Petitioner is in custody since 23.2.2019 having no criminal antecedent..

Considering the aforesaid, 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 the CJM Nalanda at Bihar Sharif, in connection with Mahila P. S. Case No. 17 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

shyambihari/-

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

