

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40064 of 2019

Arising Out of PS. Case No.-35 Year-2016 Thana- MAHILA P.S. District- Araria

CHUNNA Son of Anul Resident of Village - Chainpur, Ward No. 5, P.S.-
Mahalgown, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 376, 323, 506/34 of the Indian Penal Code.

The prosecution allegation in short is that the accused persons forcibly took away the victim from her house and committed rape on her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.2.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The victim has not made



allegation of commission of rape against the petitioner. As per the F.I.R., the victim has alleged that co-accused namely Mehboob Dealer is alleged to have committed rape. Subsequently, in course of investigation, the family members of the aforesaid co-accused have tried to implicate the petitioner in the present case. The victim has not made any allegation against the petitioner.

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

Considering the aforesaid facts and circumstances, it is directed that 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 S.D.J.M., Araria in connection with Araria Mahila P.S. Case No. 35/2016.

(Sudhir Singh, J)

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