

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47541 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- KAHALGAON District- Bhagalpur

MD. JAHIR Son of Sajim Resident of Village - Meharpur, P.S.- Pripainti,
Distt - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tarun Prasad Mandal

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution allegation in short is that the accused
persons forcibly committed rape on the daughter of the
informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 22.2.2019 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. On recovery, the statement of
the victim has been recorded under Section 164 Cr.P.C. in which



she has not named the petitioner. The medical examination report of the victim also does not show any positive sign of commission of rape.

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 A.C.J.M. IX, Bhagalpur in connection with Kahalgaon (Shivnarayanpur) P.S. Case No. 84/2019.

(Sudhir Singh, J)

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