

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48297 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- BIHTA District- Patna

RAJ KISHOR KUMAR Son of Nagendra Paswan Resident of Village -
Jamunapur Kateshar, P.S.- Bihta, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered under Sections 376 and 323 of the Indian Penal Code.

The prosecution allegation, in short, is that the
accused person entered into the house of the informant and
committed rape with 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 has falsely been implicated in the
present case. The petitioner happens to be the cousin devar of
the victim. Due to property dispute, the present case has been
instituted. There is no medical examination report on record to



suggest that any such offence was committed by the petitioner. The date of occurrence is said to be 25.1.2019 for which F.I.R. has been instituted on 28.1.2019. The delay in lodging the F.I.R. has not been explained by the prosecution.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned learned A.C.J.M. 1st, Danapur, Patna in connection with Bihta P.S. Case No. 104 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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