

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55312 of 2019

Arising Out of PS. Case No.-73 Year-2017 Thana- CHAUSA District- Madhepura

CHHOTU RISHIDEO Son Ram Vilas Rishidev alias Vilas Rishideo Resident
of Village - Alamnagar (Madhaiya), Tola Purbi Mushari, Ward No. 8, P.S.-
Alamnagar, Distt - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Anil Kumar

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chousa (Fulout) Police Station Case No.73 of 2017
registered under Sections 341, 323, 342, 366, 376 and 504/34 of
the Indian Penal Code.

The accusation is that on 26.01.2017 at about 05.00
P.M., the informant Priyanka Devi had gone to attend the call of
nature. At that time, five persons, named in the F.I.R.,
including the petitioner surrounded the informant and took away
her by Tempo forcibly and got her signature on a blank paper at
Udakishunganj Court. Thereafter, this petitioner with the help
of others took the informant to his house, where the petitioner



used to cause assault to the informant and also used to commit rape on her. When the aforesaid incident came to the knowledge of the father of the informant, the father of the informant went to the house of the petitioner to make complaint, then all started to abuse and commit “Maar-Peet” with the father of the informant.

Learned counsel for the petitioner submits that the petitioner and the other accused, named in the F.I.R., are the next door neighbour of the informant and the present case has been lodged after two months of the alleged occurrence. In the F.I.R., while the alleged occurrence is said to be of 05.00 P.M. in the evening but in her statement recorded under Section 164 of the Code of Criminal Procedure, the informant has stated the time of occurrence of 05.00 A.M. in the morning. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura, in connection with



Chausa (Fulout) Police Station Case No.73 of 2017, subject to
the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

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