

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56210 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- RAJNAGAR District- Madhubani

BITTU KUMAR RAY, aged about 21 years, Male, S/o Ram Ray @ Ram Babu Ray, R/o Village- Satghara Mirzapur, Mahanthpatti, P.S.- Rajnagar, District- Madhubani.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Ratanakar Jha, Advocate.
For the State	:	Mr.Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Ugranath Mallik and Ms. Kusum Rani, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-09-2019 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 03.04.2019 in a case for the offence registered under Sections 313 and 376 of the IPC.

The prosecution story, in brief, is that the informant Nisha Kumari is a poor girl and the petitioner was physical relation since two years giving assurance of marriage. In that course, she became pregnant when she said her pregnancy to the petitioner then he took her before the doctor and forcibly aborted her child. When she went at the house of the petitioner for talking his parents about marriage then they demanded Rs.



5,00,000/-,one Motorcycle and 50 gram gold because his son is alone in brother. It is further alleged that on 01.04.2019, petitioner called the informant on phone in his shop namely, 'Sapna Readymade', Gandhi Chowk, Rajnagar, for talking about marriage and when she reached at his shop, he closed the shutter of shop and again committed rape upon her. In the meanwhile, her mother came there and raised hulla, upon which, several persons came and opened the shutter of shop and saw her in bad condition.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. As per allegation, on pretext of marriage, the victim and the petitioner have established physical relationship. Subsequently, the petitioner refused to get marriage with the victim. For the said reason, the present case has been instituted. There is no medical examination report in support of allegation made in the F.I.R.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in



the F.I.R.

Considering the aforesaid facts and circumstances, let 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 the learned A.C.J.M.- Ist, Madhubani, in connection with Rajnagar P.S. Case No. 105 of 2019 (CRI Case No. 608 of 2019).

(Sudhir Singh, J)

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