

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73519 of 2018

Arising Out of PS. Case No.-52 Year-2018 Thana- MAHILA PS District- Khagaria

Md. Mazhar Son of Md. Kaiyam Resident of Village-Gharari, P.S. Mansi,
Distt.-Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Respondent/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 15-01-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in connection with Khagaria
(Mahila) P.S. Case No. 52 of 2018 instituted for the offence
under Section(s) 376/506 of the Indian Penal Code.

In the written report, it is alleged that on the date of
occurrence petitioner entered into the house of the informant
and committed rape with her at the point three nut and knife.
The informant has stated her age in the written report to be 18
years.

Learned counsel for the informant has appeared and
opposed the prayer for bail. He submits that victim has
supported the allegation in her statement given under Section
164 Cr.P.C. of committing rape by this petitioner.



Learned counsel for the petitioner submits that in the written report the informant has stated that petitioner committed illegal act with her and caused teeth bite in her cheek. But no such statement was made in her statement under Section 164 Cr.P.C. The doctor has not found any such injury on the person of the informant.

Case diary has been received. The medical report of the victim is available in case diary. The doctor has mentioned in the Medical Report that there was no mark of any violence on any part of the body of the informant.

Petitioner is in custody since 28.09.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Khagaria (Mahila) P.S. Case No. 52 of 2018, G.R.No. 2605 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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