

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75723 of 2018

Arising Out of PS. Case No.-102 Year-2018 Thana- MAHILA P.S District- Supaul

Devendra Mehta S/o Hari Lal Mehta Resident of Village-Bhagwanpur ward
No.9,P.S. Ratanpura,Distt.-Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Advocate

For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Mahila P.S.Case No. 102 of 2018, registered for offences punishable under Sections 341, 354 (C), 376, 511 and 509 of the Indian Penal Code .

As per F.I.R., allegation against the petitioner is of committing rape upon the informant.

Submission of the learned counsel for the petitioner is that in the F.I.R. as she has alleged that she had gone to call off nature and the petitioner tried to commit rape but in the statement of the informant under Section 164 Cr.P.C. it clearly shows that from the examination center, when the informant returning her home then forcibly the petitioner married with her but the informant never made any complaint against him and later on she made a complaint that when he had attended



to call of nature, where she was raped but again she has stated that the petitioner tried to outrage her modesty and rape was not committed. It is also submitted that the F.I.R. has been lodged after two months from the date of alleged occurrence and the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Supaul Mahila P.S.Case No. 102 of 2018 to the satisfaction of learned S.D.J.M., Supaul, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(Vinod Kumar Sinha, J)

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