

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8981 of 2020

Arising Out of PS. Case No.-72 Year-2019 Thana- PURAINI District- Madhepura

MD. SOMIYA, aged about 30 years (M), Son of Md. Mubarak @ Mamarkha,
Resident of Village-Baghwa Diyara, P.S-Puraina, District-Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bam Bahadur Jha, Advocate.
For the Opposite Party : Mr.Md. Aslam Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences under Section 376 of the I.P.C.

The prosecution case, in short, is that on 22.04.2019
at about 5.30 P.M. when the informant had gone to *Lalbahi*
Baihar for cutting grass, in the meantime, all of a sudden, this



petitioner reached there, caught hold her hand, forcibly took her in a Maize field, closed her mouth by his hand, dashed her on the ground and committed rape on her.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The victim was examined by the Medical Officer. The medical examination report is annexed as Annexure-2 to the present application. The medical examination report does not support the allegation made in the F.I.R.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned J.M. Ist Class, Udakisunganj, in connection with Puraini P.S. Case No. 72 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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