

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16488 of 2020

Arising Out of PS. Case No.-368 Year-2019 Thana- BARARI District- Katihar

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MILTAN KUMAR @ MILTAN KUMAR MANDAL Son of Binod Mandal
R/O- Milik Tola, Sakraili, P.S.- Barari, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-06-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Barari(Semapur) P.S. Case No.368 of 2019 registered under Sections 376 and 506 of the Indian Penal Code.

The victim alleged that on 26.11.2019, the petitioner entered into her house and committed rape with her. The petitioner also threatened her of dire consequences but thereafter the petitioner continued to sexually exploited her on threat. The informant also informed the parents of the petitioner but they also did not take any notice nor took any action against the petitioner.

The learned counsel for the petitioner submits that the victim is a married lady. On account of some petty dispute, she lodged the case making allegation that the petitioner used to



commit rape with her. She further disclosed that since last two years, the petitioner was committing rape with her. Victim appears to be a major married woman and her story does not inspire confidence. Now the case has been compromised.

Learned A.P.P. however opposed the prayer for bail.

It appears that victim is a major married woman. She alleged that for last two years, the petitioner had been committing rape with her but she did not disclose this fact to her husband or any other family members. She simply informed the parents of the petitioner who did not take any action against the petitioner and thereafter the victim filed this case.

Considering the facts aforesaid and the nature of allegation made against the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 1st -cum-Special Judge, Katihar in connection with Barari(Semapur) P.S. Case No.368 of 2019.

(Prabhat Kumar Jha, J)

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