

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33684 of 2020

Arising Out of PS. Case No.-159 Year-2020 Thana- PURNEA SADAR District- Purnia

MD. ISHAK Son of Noor Mohammad @ Mohammad Noor Hussain Resident
of Village- Belwa Bengalitola, P.S.- Sadar (Muffasil), District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Murlidhar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 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.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323, 307, 376 of the Indian
Penal Code.

Prosecution case as per the written complaint of the
victim/informant is that on the pretext of lifting grass, the



petitioner took her to the maize field and forcibly established physical relationship with her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 04-05-2020. Charge sheet/Prosecution report in this case has already been submitted. The medical examination report of the victim does not support the allegation of commission of rape. The police after investigation has found the case to be false for the offence under Section 376 of the Indian Penal Code.

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

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Sadar (Muffasil) P.S. Case No. 159 of 2020.

(Sudhir Singh, J)

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