

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.185 of 2020

Arising Out of PS. Case No.-223 Year-2019 Thana- SHERGHATI District- Gaya

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TENI MANJHI Son of Mangar Manjhi Resident of Village - Anurdhi, Police
Station- Dobhi (Sherghati), District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-02-2020 The petitioner seeks regular bail in connection with

Sherghati P.S. Case No. 223 of 2019, registered for offences

punishable under Section 376 of the Indian Penal Code.

Prosecution case is that victim lady asked for a glass of
water, on which, the petitioner, who is chaukidar of the farm
house, asked her to come inside and, thereafter, he committed
rape upon her.

It has been submitted on behalf of the petitioner that in
the statement under Section 164 Cr.P.C, the victim girl has not
named the petitioner and further medical report does not support
the allegation of commission of rape on her. It has also been
submitted that he has no criminal antecedent and he has been in
judicial custody since 24.05.2019.

Learned counsel for the State opposed the prayer for



bail on the ground that it has come in para -2 of the case diary that witnesses have seen the victim girl crying in front of the farm house and when they enquired from her, she disclosed about commission of rape by the Chaukidar and further the police on investigation of place of occurrence has found the odhani (tippet) of victim girl inside the farm house.

Having heard both sides, considering the facts and circumstances and also the fact that medical report does not support the prosecution case, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati P.S. Case No. 223 of 2019, subject to the condition that petitioner will cooperate in disposal of trial and make himself available as and when required by the court below, failing which, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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