

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16094 of 2021

Arising Out of PS. Case No.-107 Year-2020 Thana- SIGAUDI District- Patna

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SUJEET KUMAR @ SURJEET KUMAR S/O UPENDRA KUMAR @
UPENDRA PRASAD @ UPENDRA KUMAR VERMA R/o village- Bijulia
Chak, P.S.- Sigodi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Chandra, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-10-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 342, 323, 376 and 506 of the Indian Penal Code.

According to F.I.R., the petitioner who is relation of the informant misrepresented her that the petitioner would carry her on his motorcycle to her house, however took her in a hotel and allegedly ravished her. This is the statement of the victim under Section 164 Cr.P.C.

Learned counsel for the petitioner submits that the victim had lodged a case under Section 498A IPC against her husband on 01.02.2010 vide F.I.R. at Annexure-4 and the present occurrence was allegedly committed on 05.07.2020 wherein she stated that she had made complaint of the occurrence to her husband. The victim is already a mother of a



child. She is in the habit of lodging false cases to pressurize for extraneous consideration.

Considering the facts of this case as well as the fact that the petitioner is in custody since last more than one year and there is no material to substantiate that the petitioner is going to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sigori P.S. Case No. 107 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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