

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40741 of 2021**

Arising Out of PS. Case No.-123 Year-2021 Thana- PUPRI District- Sitamarhi

RAM JANKI KUMAR S/o Rampratap Ray Resident of Village- Bhitha, P.S.-
Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 23-11-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 376D and other ancillary sections of the Indian Penal Code and sections 37(b)(c) of the Bihar Prohibition and Excise Act.

As per the prosecution case, petitioner and co-accused Munna Mandal came to the shop of the informant in drunken state and abused and assaulted her and her daughter by iron rod. It is further alleged that 10 days back these accused persons had forcibly taken away the daughter of the informant and established physical relation to which FIR had not been lodged due to social stigma.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. As per FIR the alleged rape took place 10 days prior but no complaint or FIR was lodged by the informant. Moreover, this so-called victim had neither been examined by police nor she was medically examined by a doctor. As such, the so-called story of rape cannot be believed. Learned counsel further submits that in fact the informant had taken cash Rs. 71,000/- from the petitioner for the purpose of treatment and on demand, she implicated him in the instant false case. Petitioner has claimed clean antecedent and he is in custody since 9.4.2021.

Considering the aforesaid facts and circumstances of the case, nature of accusation and the period of custody, prayer for bail of the petitioner is allowed. Let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI, Sitamarhi in Trial no. 85 of 2021/Pupri Police Station Case No. 123 of 2021.

(Prabhat Kumar Singh, J)

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