

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15934 of 2022

Arising Out of PS. Case No.-50 Year-2021 Thana- MAHILA P.S. District- Rohtas

DEEPAK KUMAR MEHTA @ DEEPAK KUMAR SON OF KAMDEO
MEHTA @ KAMDEO SINGH R/O VILLAGE- DHARAHARA, P.S.-
DARIHAT, DIST.- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 376, 504, 506 and 457 of the Indian Penal Code.

The petitioner is said to have entered the house of informant with bad intention and committed rape by catching hold of her both hand forcibly while informant was sleeping with her husband. After hearing alarm, villagers assembled there then the petitioner fled away.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and he has falsely been implicated in this case. Learned counsel for the petitioner further submitted that the present case is highly improbable as the husband was sleeping with her. The impugned order also suggests that prior to this occurrence, the petitioner also committed rape several times but matter was not disclosed to family members was there is element of consent on behalf of the informant. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 08.10.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned M. S. Kumari Vijaya Shanti, Judicial Magistrate Ist Class, Sasaram, Rohtas, in connection with Mahila P.S. Case No. 50 of 2021.

The application stands allowed.

sanjeev/-

(Chandra Prakash Singh, J)

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