

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48395 of 2021

Arising Out of PS. Case No.-430 Year-2020 Thana- DANAPUR District- Patna

Ishanand Tripathi Son of Late Sarvanand Tripathi Permanent resident of Village- Bilauri, P.S.- Shahpur, District- Bhojpur, at present residing at Mohalla- Ram Nagari, Sector-1, P.S.- Rajeev Nagar, Patna- 800025.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar, Adv.

For the Opposite Party : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has renewed his prayer for bail in connection with Sessions Trial No. 111 of 2021 arising out of Danapur P.S. Case No. 430 of 2020 registered under Section 376 of the Indian Penal Code. His prayer for bail was earlier rejected by this Court vide order dated 22.01.2021 passed in Cr.Misc. No. 34410 of 2020.

According to the prosecution case, the informant is an employee of the petitioner. On 02.08.2020 at about 01:30 PM when she went to inquire from the petitioner as to whether he would like to take lunch, he forcibly raped her.

It is submitted by the learned counsel for the



petitioner that from perusal of the FIR itself it would appear that the husband of the informant was also an employee of the petitioner and owing to some dispute relating to demand of salary, he has been falsely implicated in this case. He submitted that in the instant case commitment was made on 10.02.2021. Thereafter, despite summons issued to the witnesses, no witness turned up to depose before the court.

Learned counsel for the State opposed the prayer for bail.

Considering the period of custody undergone by the petitioner as an under-trial prisoner and the fact that in spite of framing of charge on 10.02.2021 no witness has tuned up so far to depose before the court, I am inclined to grant bail. The petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Patna in connection with Sessions Trial No. 111 of 2021 arising out of Danapur P.S. Case No. 430 of 2020.

(Ashwani Kumar Singh, J)

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