

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49567 of 2021

Arising Out of PS. Case No.-239 Year-2021 Thana- NAWADA District- Nawada

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UMESH CHOUHAN @ UMESH JAMADAR S/o Gurucharan Choudhan @
Gurucharan Jamadar Resident of Village- Manopar @ Maroganj, P.S.-
Akbarpur, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 376, 504 and 34 of the Indian Penal Code.

As per the prosecution case, the accused Devraj took the informant in confidence and under the false promise of marriage, established physical relations with her and continued to rape her. The informant further states that he also introduced her to his parents which included the petitioner herein and they also said that they would make her their daughter-in-law.

It is submitted by learned counsel for the petitioner that from the prosecution case itself, it would transpire that the petitioner has been falsely implicated in the case only on the



ground that he happens to be the father of accused Devraj. No overt act has been alleged against him. He is in custody since 15.4.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against this petitioner, the petitioner not having any criminal antecedent and having remained in custody for 10 months, the Court directs the petitioner to be enlarged on bail in connection with Nawada Nagar P.S. Case no.239 of 2021 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 Chief Judicial Magistrate, Nawada.

(Partha Sarthy, J)

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