

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53148 of 2021**

Arising Out of PS. Case No.-257 Year-2021 Thana- NARPATGANJ District- Araria

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GOPAL YADAV @ AWDULLA S/o Kamleshwari Yadav Resident of Quarter
Chowk, Yadav Tola, P.S. - Bhimpur, District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr.Zainul Abedin

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

3 21-01-2022 Heard learned counsel for the petitioner and the State.

The matter has been taken up through video
conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 376 and some other
ancillary Sections of the Indian Penal Code and u/s 67(A),
67(B) of I.T. Act.

As per the prosecution case, on 14.11.2020 this
petitioner entered into room of the informant, committed rape
with her, recorded video of entire incident and made the same
viral on 04.06.2021.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No such occurrence has taken place as alleged in the FIR.



It is further submitted that the occurrence took place on 14.11.2020 but the FIR has been lodged on 12.06.2021 without any explanation for such delay. During medical examination the doctor did not find any sign of recent intercourse and assessed the age of informant above 20 years. Petitioner claims clean antecedent and is in custody since 14.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in connection with Narpatganj PS case No. 257/2021.

(Prabhat Kumar Singh, J)

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