

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61658 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- SOHSARAI District- Nalanda

Abhishek Kumar Son of Mr. Shravan Sao Resident of Village - Nohsa, P.S. - Ben, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivam

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-03-2022 Heard both parties.

The petitioner seeks bail in Sohsarai (Biharsharif)
P.S. Case No. 143 of 2021, registered for the offence punishable
under Section 376 of the Indian Penal Code.

As per the FIR, informant was residing in a rented house. On the alleged date and time of occurrence her husband was not present at home and it is alleged that petitioner who is tenant of the same building entered in her room and committed rape upon the informant. When informant protested, petitioner threatened to kidnap her child. When husband of informant came she narrated the occurrence. Thereafter, informant's husband searched the accused, caught and got him arrested by the police.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Petitioner is one of the renters and student preparing for competitive examination. As a matter of fact, on the alleged date of occurrence, there was some altercation between the informant and petitioner over throwing of garbage and that is why informant lodged this false case and in support of the same application written by Seema Devi addressing the Superintendent of the Police Nalanda at Bihar Sharif is annexed at Annexure -3 in which it is stated that there was some altercation between the informant and petitioner over throwing of garbage. The victim lady was medically examined and the doctor has not found any external injury on her body and there is no sign of rape. The age of victim lady is assessed as 18-19 years. Petitioner claims clean antecedent and he is in custody since 06.08.2021.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate IV, Nalanda at Bihar Sharif in connection with Sohrai (Bihar Sharif) P.S. Case



No. 143 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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