

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67947 of 2021

Arising Out of PS. Case No.-74 Year-2021 Thana- GHOGHARDIHA District- Madhubani

Shambhoo Mandal Son of Bhagwat Mandal Resident of Village - Chethru
Mandal Tole, Ward no.4, P.S.- Ghoghardiha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat
For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Ghoghardiha
P.S. Case No. 74 of 2021, registered for the offences punishable
under Section 376 and other allied sections of the Indian Penal
Code.

As per the FIR, this petitioner forcibly committed
rape with the informant. When she disclosed the incident to her
husband petitioner and co-accused persons assaulted her badly
causing injury near right side of eye.

It is submitted that petitioner has been falsely
implicated in this case due to village politics and no such
occurrence has ever taken place. The informant (victim lady)
was medically examined and no sign of sexual assault was



found on her person. Petitioner is next door neighbour and due to land dispute for which earlier a proceeding under Section 144 Cr.P.C has been held between the parties this false case was lodged. Moreover, after investigation the IO has submitted chargesheet bearing 104 of 2021 against petitioner and others under Sections 354, 323, 341, 324, 504 and 34 of the IPC.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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 Judicial Magistrate Ist Class, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 74 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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