

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9170 of 2023

Arising Out of PS. Case No.-80 Year-2020 Thana- MAHILA P.S. District- Madhubani

Neeraj Kumar @ Mahesh Kumar Kamat @ Juri @ Judi S/O Tanuk Lal Kamat
Resident of village- Tilai, P.S.- Andhra Thandi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Subhash Jha
For the Informant	:	Mr. Gagandeo Yadav
		Mr. Ravi Prakash
		Mr. Vinod Kumar
		Mr. Udeshya Kumar Yadav
		Mr. Rajesh Kumar
For the Opposite Party/s :		Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 04-10-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 376, 323, 341/34 of the Indian Penal Code.

As per F.I.R., the allegation against the petitioner is that he had established physical relationship with the informant's daughter taking the benefit of her mental illness resulting into her pregnancy.

It is submitted by learned counsel for the petitioner



that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to local village politics. Both the parties are gotiya and there was land dispute between the parties therefore, present case has been lodged to make extra pressure upon the petitioner. No specific date and time of the occurrence has been mentioned. The victim is a matured and married lady and she was pregnant at the time of institution of F.I.R. and when petitioner gave statement for D.N.A. Test of unborn child then the informant party aborted the child to hide the sine of the victim. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. It is also submitted that petitioner is languishing in judicial custody since 21.11.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mahila P.S. Case No.80 of 2020 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 S.D.J.M., Madhubani.

(Sunil Kumar Panwar, J)

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