

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14783 of 2023

Arising Out of PS. Case No.-62 Year-2022 Thana- MAHILA PS District- Buxar

Umesh Kumar Yadav @ Umesh Yadav @ Vishwanath Babu Yadav Son Of
Raj Kishor Yadav R/V- Babu Dera, P.S- Brahmpur, Dist-Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 376 of the
Indian Penal Code.

As per FIR, the allegation against the petitioner is that
he committed rape to the informant on false pretext of providing
job. It is further alleged that the petitioner has also kept
educational certificate of the victim.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. He has got no criminal
antecedent. The victim is a mature lady aged about 23 years and
as per her statement recorded under Section 164 of the Cr.P.C.,
which is annexed with para 33 of the case diary, wherein she has



stated that the petitioner compelled her to make physical relationship with him for providing job and she did so with her own sweet will. It is further submitted that the petitioner is languishing in judicial custody since 10.12.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Buxar Mahila P.S. Case No. 62 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Buxar.

It is also submitted on behalf of the petitioner that the educational certificate of the victim will be provided by the petitioner after releasing from the custody.

(Sunil Kumar Panwar, J)

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