

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15603 of 2023

Arising Out of PS. Case No.-256 Year-2020 Thana- MUNGER MUFFASIL District- Munger

Baudhu Bhagat @ Baudhu Singh S/O Late Dayanand Singh @ Dayaram
Singh R/V- Sitacharan, P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 04-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376, 313, 201, 346, 120(B), 506, 34 of the Indian Penal Code.

3. As per prosecution case, the petitioner along with co-accused persons are alleged to have committed rape with the victim/ informant when she went to field. Thereafter, the victim got pregnant while was got terminated by inducing her medicine.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The present case is false & fabricated, it is just filed in the counter blast of a Sanha, No. 2115JJ/2020 which was filed by the petitioner allegeing therein that some accused persons along with the



family of the victim are indulged in making and selling country made wine and when the petitioner raised voice against this illegal act, he was threatened with dire consequence. The alleged occurrence took place in 1st week of April, 2020 but the FIR was lodged in delay of seven months without any proper explanation. It is also submitted that the medical report of the victim vide para-18 of the case diary, does not corroborate the prosecution. He has got no criminal antecedent and languishing in judicial custody since 14.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Munger Muffasil P.S. Case No. 256 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Munger/court concerned.

(Sunil Kumar Panwar, J)

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