

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16338 of 2023

Arising Out of PS. Case No.-128 Year-2021 Thana- CHENARI District- Rohtas

VISHNU KUMAR JAISWAL S/o Sudarshan Jaiswal Resident of Village-
Bharandua, P.S.-Chenari, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner 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, it is a case of commission of rape by the petitioner, after that this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The informant is a major lady and she kept consensual relation with the petitioner. The FIR has been lodged after delay of about two months. It is submitted that prior to lodging the present



case, on 02.06.2021 informant and her husband namely, Nandu Kumar Gupta had already filed divorce petition. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 06.12.2022.

Learned APP appearing for the state has 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 Chenari P.S. Case No. 128 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-II Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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