

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36925 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- MADHUBAN District- East Champaran

Rakesh Prasad Son Of Chhathu Sah Resident Of Village- Kalimpur, P.S.-
Madhuwan, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner 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, 506 of the Indian Penal Code and Section 67 (a) of I.T. Act.

As per allegation in the FIR, petitioner constituted physical relationship with the informant and made videos of the occurrence.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also



submitted that petitioner is languishing in judicial custody since 16.02.2022. It is further submitted that victim and petitioner has established consensual relation and regarding this informant has not made any complaint earlier. It is also submitted that during the course of investigation a notice was given to the informant for medical examination but she did not turn up for medical examination. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Madhuwan P.S. Case No. 76 of 2022 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 C.J.M., East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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