

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39833 of 2023**

Arising Out of PS. Case No.-34 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

Devananand Kumar @ Divani Sharma S/O Govind Sharma R/O Village-
Rampur, Ps. Dholbajja, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 30-08-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 376(D), 354(D), 509, 120(B) of the Indian
Penal Code and Section 66(E) of the I.T. Act.

It is a case of commission of rape upon the
informant by the petitioner and other accused persons.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. The victim is a married lady
and it was a consensual relationship as gets reflected in



the F.I.R. The medical report also does not corroborate the case of the prosecution. The petitioner is languishing in custody since 06.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Naugachia, Bhagalpur in connection with Naugachia Mahila P.S. Case No. 34 of 2022.

(Sunil Kumar Panwar, J)

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