

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50468 of 2023

Arising Out of PS. Case No.-98 Year-2021 Thana- MAHILA P.S. District- Araria

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NASAR SON OF FARID RESIDENT OF VILLAGE- SATGHARA WARD
NO. 06, PS- JOKIHAT, DIST- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under section 376 (D) of the Indian Penal Code.

3. As per allegation in the FIR, in absence of informant's husband, accused persons, who are tractor driver working in Rupa brick kiln, entered into the house of the victim/informant and they sat her down on motorcycle forcibly and brought her to Rupa brick kiln where they forcibly committed rape with her and given her life threatening if she discloses the matter to anyone.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Victim is



married lady of 35 years old. During investigation, witnesses in para 33 and 34 of the case diary not supported the prosecution story. Medical report which is at para 117 of the case diary is not in consonance with the prosecution version. Petitioner has got clean antecedent and languishing in judicial custody since 4.5.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM-V, Araria in connection with Mahila P.S. Case No. 98 of 2021.

(Sunil Kumar Panwar, J)

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