

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51970 of 2022**

Arising Out of PS. Case No.-69 Year-2020 Thana- MAHILA P.S. District- Nalanda

Rudal Bind @ Rudal Kumar Son Of Chandirak Bind R/O Village-  
Bangachha, P.S.- Telmar (Harnaut), District- Nalanda

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

3      08-02-2023                      Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to make necessary correction in prayer portion of the bail petition in course of the day.

The Petitioner is apprehending his arrest in a case registered for the offences punishable u/s 376 and 506 read with 34 of the Indian Penal Code and further u/s 341, 323 and 504 of the Indian Penal Code were added.

As per the prosecution case, the petitioner is alleged to



have committed rape on her after taking her near the field forcibly. On *halla*, her husband came running there and the petitioner fled away.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner is accused in one more criminal case which is not related to heinous nature of offence as stated in para 3 of the bail petition. The statement recorded u/s 161 and 164 of the Cr.p.c is itself contradictory. As per the medical report, no sign of rape is found.

Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner by submitting that there is specific allegation of committing rape against the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda at Biharsharif in connection with Mahila P.S. Case No. 69 of 2020, subject to conditions as laid down under section



438(2) of the Code of Criminal Procedure, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond .

The application stands allowed.

**(Chandra Prakash Singh, J)**

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