

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59315 of 2022

Arising Out of PS. Case No.-58 Year-2020 Thana- MAHILA P.S. District- Saran

Hare Ram Sah S/O Late Ramayan Sah Resident Of Village- Ghoghta, P.S.-
Chapra Muffasil, District- Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh
For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2023 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 section 376 of the Indian Penal Code.

As per prosecution story, when the informant went to attend call of nature in evening where accused petitioner caught her and at knife point he removed her clothes and raped her there after the case has been lodged against him.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The occurrence has occurred on alleged dated



26.9.2020 but FIR has been lodged in delay of more than 15 days. It is further submitted that the victim is a married lady and her statement under section 164 of Cr.P.C. has been recorded in delay on dated 6.2.2021. As per medical report, the victim is aged about 22 years and no any consistent evidence of sexual intercourse found and it does not corroborates the prosecution story. The petitioner is languishing in judicial custody since 16.7.2022.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahila P.S. Case No. 58 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saran at Chapra.

(Sunil Kumar Panwar, J)

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