

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61052 of 2022

Arising Out of PS. Case No.-87 Year-2018 Thana- MAHILA P.S. District- Araria

DEVENDRA SHARMA @ DEONANDAN SHARMA @ BABLOO
SHARMA S/o Thaan Singh Sharma @ Than Sinh Sharma R/v- Madhura
south Ward No. 03, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Aggarwal, Sr. Adv.
Mukesh Kumar Rana, Adv.

For the Opposite Party/s: Mr. Uma Shankar Prasad Singh, APP.
Mr. Gopal Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 376 of the Indian Penal Code.

Allegedly, petitioner has committed rape with informant and also threatened her of bad consequences.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and committed no offence. He has been falsely implicated in this case due to village politics. All the allegations levelled against the petitioner is false, wrong and concocted. No such occurrence as alleged ever took place. Both the parties are neighbors. There is case and counter case



between the parties. It is further submitted that after investigation, police has submitted final form in this case as occurrence is not true but the learned Magistrate has taken cognizance under Section 376 of the IPC on the basis of material available on the record. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the bail application submitting that victim has supported the prosecution case in her statement u/s 164 Cr.P.C.

Having regard to the facts and circumstances of the case, since final form has been filed by the police, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Araria (Mahila) P.S. Case No. 87 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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