

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64152 of 2022

Arising Out of PS. Case No.-8 Year-2020 Thana- MAHILA P.S. District- Araria

CHHOTU SAH @ AMIT SAH @ AMIT Son of Late Ramji Sah Resident of
village - Jogbani Mohalla - Indra Nagar Ward No.- 10, P.S.- Jogbani, District -
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abdul Wadood

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-02-2023 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, 506 of
the Indian Penal Code.

As per prosecution case, informant alleged that
petitioner taking advantage of her alone living forcibly made
physical relationship, whenever she objected, he threatened her
to kill and made physical relationship several times.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in the present case. It is further
submitted that the victim has not complaint just after the



commission of offence rather the FIR has been lodged after delay of 11 months from the time of occurrence. The victim is a wedded and matured mind lady and she also did not inform to her husband in respect of this offence. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 27.06.2022.

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 Araria P.S. Case No. 08 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., Araria.

(Sunil Kumar Panwar, J)

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