

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65708 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

Hitlar @ Hitlar Sada, Son of Late Ram Saran Sada @ Raj Kishore Sada, R/O
Vill.- Jhoparpatti, P.S.- Town, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate
For the State : Mrs. Sharda Kumari, APP

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

ORAL ORDER

2 23-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 376D of the Indian Penal Code.

As per the prosecution case, the informant has alleged that the petitioner and the co-accused person committed rape on her one after another while she was sleeping out of her house.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per report of the medical board, there is no sign of injuries (abrasion and bruise) on any part of the body including front and



back. There is no injury on private part of the victim. The doctor has opined that there is no evidence of recent sexual assault on the body of the victim but she was pregnant (According to USG) according to urine for pregnancy test as mentioned in Annexure-2 filed on behalf of the petitioner. The petitioner is accused in one more case which is related to Excise Act as stated in para 3 of the bail petition. The petitioner is in custody since 22.04.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the submission advanced on behalf of the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Town P.S. Case No. 229 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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