

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67268 of 2022

Arising Out of PS. Case No.-576 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

RAKESH RAI @ MATA SON OF DAYA SHANKAR RAI R/O VILL.-
RUIYA, P.S.- BHABUA, DISTT.- KAIMUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Patel

For the Opposite Party/s : Mr. Arvind Kumar Pandey(App84)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-06-2023 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 sections 376, 452, 506 of the Indian Penal Code and Section 67 of the I.T. Act.

According to FIR, the petitioner forcibly made sexual relation with the victim/informant at gun point and also threatened to viral her objection video & photos.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide para 9 of the petition that the informant/victim is a major and married lady who was having love affairs with the petitioner. When the matter came into knowledge of her in-laws and her



husband then by twisting the facts, a false and fabricated case has been lodged against this petitioner. From perusal of case diary, it seems that both are consensual party. The medical report of the victim has also not corroborated the prosecution. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 6.9.2022.

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 as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhaua P.S. Case No. 576 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabua, Kaimur.

(Sunil Kumar Panwar, J)

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