

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72528 of 2022**

Arising Out of PS. Case No.-148 Year-2022 Thana- MANIHARI District- Katihar

Chhotu Khan @ Jabaz Khan S/o Jahagir Khan @ Md. Jahagir Kha R/v-
Rasulpur, P.S.- Manihari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

6 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 376, 457, 504, 506/34 of the Indian Penal Code.

It is a case of commission of rape with the victim/informant by the petitioner and other accused person.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case. The F.I.R. has been lodged after the delay of two days and no satisfactory explanation has been given by the informant. Informant is a matured and married lady and she has six children. There is a



major contradiction between the prosecution case and statement of the victim recorded u/s 161 as well as 164 of Cr.P.C. It is also submitted that petitioner is languishing in judicial custody since 26.06.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Manihari P.S. Case No. 148 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Katihar.

(Sunil Kumar Panwar, J)

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