

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3672 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- KASBA District- Purnia

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MAYANK KUMAR @ DABLOO YADAV S/o Panchanand Yadav R/o
Village Mohani, P.S.- Kasba, Distt- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Praveen

For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 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 323, 380, 456, 458, 376, 504, 506 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is of committing rape with the complainant, while she was alone at his house.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The present case has been lodged by the complainant at the instance of those persons with whom petitioner's family have land dispute and due which he has falsely been implicated in this case. It is further submitted that alleged occurrence took place on



16.5.2022 but the complaint has been lodged in delay on dated 19.5.2022. As per medical report of the victim, the petitioner is major lady and no sing of injury or rape was found by the doctor which creates strong suspicion on prosecution case. 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 24.6.2022.

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 Kasba P.S. Case No. 169 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, Purnea.

(Sunil Kumar Panwar, J)

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