

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1132 of 2023

Arising Out of PS. Case No.-115 Year-2021 Thana- SIKARPUR District- West Champaran

RAM BILAS PATEL @ RAMVILAS PATEL Son of Mahesh Patel R/V-
Mangarahi, Ward no. 1, P.S- Shikarpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-05-2023 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 452, 376 of the Indian Penal Code.

As per prosecution story, allegation against the petitioner is of committing rape with the victim/informant on pistol point.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. As a matter of fact, the reason of false implication of the petitioner is that the petitioner is Ex-ward member and informant's brother-in-law is a present ward member and due to political rivalry the petitioner has falsely been made accused in this case. According



to medical report which is annexed as Annexure-2, it appears that there is no sign of recent sexual assault. It is further submitted that the as alleged independent witnesses mentioned in para 72 and onward of Case diary did not support the prosecution version. It is further submitted that the informant is major and matured mind lady. Moreover, the petitioner is languishing in judicial custody since 18.11.2022.

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 Shikarpur P.S. Case No. 115 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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