

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8084 of 2024

Arising Out of PS. Case No.-38 Year-2022 Thana- MAHILA PS District- Aurangabad

Chandan Kumar Singh Son Of Birendra Singh Village- Ratanua Ps
-aurangabad (m) District -aurangabad ... Petitioner

Versus

1. The State Of Bihar

2. Priya Kumari

... Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Senior Advocate
Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Binod Kumar, Addl Public Prosecutor
Mr AK Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner, the State and
opposite party no.2 .

2. The petitioner seeks bail in a case registered for the
offence punishable under sections 376, 341, 323, 504 and 506 of
the Indian Penal Code.

3. As per the prosecution case, petitioner committed
rape on the informant/ opposite party no.2.

4. Learned counsel appearing for the petitioner
submits that the petitioner is a farmer and he has got no concern
with alleged occurrence in any manner rather he is himself a
victim in this case due to land dispute between his father and his
uncle, namely, Harendra Singh. Even son of said Harendra
Singh has already lodged two criminal cases against the
petitioner which is mentioned in paragraph 3 of the bail petition.
Police after investigation submitted final form against the
petitioner but the Court below differing with the same took
cognizance of the offence. From perusal of final form it is
evident that witness no.2 is wife of said Harendra Singh and
witness no.3 is his daughter-in-law. The board of Doctors did
not find any mark of violence on her body. Petitioner is in
custody since 28.11.2023.



5. Learned counsel for the State as well as the opposite party no.2 oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Aurangabad in Aurangabad Mahila Police Station Case No. 38 of 2022.

(Prabhat Kumar Singh, J)

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