

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66087 of 2024**

Arising Out of PS. Case No.-265 Year-2024 Thana- GAUTAMBUDHNAGAR District-
Siwan

Janak Ram Son of Late Ayodhyam Ram @ Ramayodhya Ram Resident of
village-Mustafabad PS- Goriyakothi Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-11-2024 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with G.B.
Nagar P.S. Case No. 265 of 2024 instituted for the offence under
Section 376 of the Indian Penal Code.

3. Prosecution case in short is that petitioner has
committed rape upon the informant several times.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30-05-2024. Petitioner is a
man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present
case. Learned counsel submits that same offence was occurring



since last several months as well as the so called victim was raped by the petitioner but neither the informant nor victim herself agitated the matter before any legal forum nor before the social forum. From perusal of the medical report, it would reveal that age of the victim is 22 years and no external or internal injuries were found. It is also stated that there is no sign of sexual assault. It is next submitted that during the course of investigation, not a single independent witness has supported the prosecution case. Learned counsel for the petitioner has further placed reliance on cases of the Hon'ble Supreme Court since reported in ***2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharashtra & Ors)*** and ***(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)***.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 3, 6, 7 & 8 of the case diary it is submitted that witnesses have supported the prosecution case. Victim in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and taking into



account the materials available on record, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.B. Nagar P.S. Case No. 265 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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