

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71169 of 2024

Arising Out of PS. Case No.-21 Year-2024 Thana- MAHILA P.S. District- Nawada

Raushan Kumar S/O Kishori Singh R/O Village- Kalipur Nahar Par, P.S-
Nawada Muffasil, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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

ORAL ORDER

3 20-11-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Nawada Mahila P.S. Case No. 21 of 2024, instituted for the
offences punishable under Sections 341, 376, 504, 506/34 of the
Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
committed rape upon the informant on the point of pistol by
entering her house and also threatened her not to make any
noise, otherwise he would kill her husband and children. It is
further alleged that when her husband went to the house of the
petitioner then his family members also abused him.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is inordinate delay of 18 days in lodging the FIR. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner and the victim are co-villager and there was love affair between them. It is further submitted that from perusal of the FIR it appears that the petitioner has been trying to misbehave with her with bad intention since Dashehra 2023, but no complaint has been lodged. It is lastly submitted that on perusal of the medical report it transpires that no injury has been found on the entire body of the victim and there is no sign of recent sexual intercourse. The petitioner is in custody since 30.07.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Mahila P.S. Case No. 21 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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