

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72049 of 2023

Arising Out of PS. Case No.-929 Year-2022 Thana- SITAMARHI District- Sitamarhi

Santosh Sah @ Santosh Kumar Son Of Ruplal Sah R/O Village- Raja
Parsainee, P.S.- Parsainee, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 376, 420, 323, 379,
504, 506/34 of the Indian Penal Code.

The allegation against the petitioner and co-
accused Golu Sah established physical relation with the
informant without her consent. It is further alleged that
they also assaulted the informant and snatched her
ornaments.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Victim has not whispered about the complicity of petitioner in commission of her rape, in her statement recorded under Section 164 of Cr.P.C. She has stated that co-accused Golu has established physical relation with her and assaulted her on refusal. Victim is aged about 20 years. Moreover, the petitioner is languishing in judicial custody since 18.08.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sitamarhi P.S. Case No. 929 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Chief Judicial
Magistrate, Sitamarhi.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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