

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3743 of 2024

Arising Out of PS. Case No.-29 Year-2023 Thana- MAHILA P.S. District- Sitamarhi

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Dharmendra Sah @ Dharmendra Kumar S/O Ram Chandra Sah Resident Of
Village-Mohandih, P.S.-DUMRA, District-Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 341, 342, 323, 376(D)/34 of the Indian Penal Code and Section 67(A) of the Information Technology Act.

It is alleged against the petitioner and co-accused Ram Bharat Sah that they forcefully committed rape of the informant and this petitioner has made video of the incidence and thereafter made the video viral.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case. The victim is married lady. The husband of the informant was earlier working in the tent shop of co-accused Ram Bharat Sah and he was ousted by Ram Bharat Sah due to misappropriation of some amount. Hence, in retaliation, the present accusation has been levelled against co-accused Ram Bharat Sah and the petitioner who is the own nephew of co-accused Ram Bharat Sah. The doctor has also not found any injury on the person of the informant to establish whether rape has been committed or not. The petitioner is languishing in custody since 27.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be



released on bail on furnishing bail bonds of Rs. 10,000/-
(Ten Thousands) with two sureties of the like amount
each to the satisfaction of learned Sub-Divisional Judicial
Magistrate, Sadar, Sitamarhi in connection with Mahila
P.S. Case No. 29 of 2023.

(Sunil Kumar Panwar, J)

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