

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80105 of 2024

Arising Out of PS. Case No.-312 Year-2024 Thana- DUMRA District- Sitamarhi

Rakesh Kumar S/o- Laxman Mahto village - Bhup Bhairav @ Bhup Bhairo,
P.S. -Sitamarhi, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 64 (1) of the BNS.

3. The case of the prosecution is that the victim has taken lift from the petitioner and the petitioner has committed rape with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. During the course of hearing learned counsel for the petitioner submits that the medical board has not found any sign of rape and has pointed out that it is difficult to say that whether rape has been committed or not. The



victim in her statement under Section 164 of the Cr.P.C. has stated that the petitioner committed rape in the vehicle. Though she has supported the case of the prosecution but the medical report is otherwise and the medical board was conducted on the next day of occurrence. Moreso, the medical report does not support the allegation levelled against the petitioner and he is languishing in judicial custody since 21.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dumra P.S. Case No. 312 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi.

(Ashok Kumar Pandey, J)

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