

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87840 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- DIGHALBANK District- Kishanganj

Md. Ejabul @ Ejabul Son of Abdul Khalek @ Abdul Khalid Resident of
Village - Satkauwa, P.S. - Dighalbank, District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Raj Kumar, Advocate
For the Opposite Party/s	:	Mr.Rajendra Prasad Nat, APP
For the Informant	:	Mr. Rajeev Ranjan, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-03-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant 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 Bharatiya Nyaya Sanhita.

3. The case of the prosecution is that on 18.11.2024, the petitioner went to the house of the informant at 9:00 P.M. and demanded water and when she came out of her house, the petitioner stuffed the cloth in her mouth and dragged her about 200 meters away from her house and committed rape. Hence, the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the



occurrence took place on 18.11.2024 where as the FIR has been lodged on 20.11.2024. There is two days delay in lodging the FIR for which there is no explanation given on behalf of the informant. On perusal of the Medical report, learned counsel for the petitioner submits that from the report, it transpires that there is no sign of recent sexual intercourse and as such, the allegation levelled against the petitioner is false and concocted. Moreover, the petitioner is languishing in judicial custody since 20.11.2024 having no criminal antecedent.

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 Dighalbank P.S. Case No. 154 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 Additional Chief Judicial Magistrate-1st, Kishanganj.

(Ashok Kumar Pandey, J)

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