

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3161 of 2015

Arising Out of PS.Case No. -47 Year- 2013 Thana -SANHAULA District- BHAGALPUR

=====

1. Halim Kaji @ Md. Halim Kazi Son of Amir Kazi
2. Abul Kaji @ Abdul Kazi S/O Late Jamruddin Kazi
Both are residents of village-Kamalpur,P.S-Sanhaula,Distt.-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pratap Sharma

For the Opposite Party/s : Mr. L.K.Sharma(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 21-04-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

According to prosecution case itself, petitioners are
agnates of the informant and allegedly, they along with co-
accused, Jamil Kazi entered into the house of the informant and
thereafter, co-accused, Jamil Kazi committed rape on the
informant's daughter but it is surprising enough that police did not
record the statement of victim in course of investigation nor took
any step to get recorded the statement of victim under Section 164
of the Cr.P.C. It appears that the police only recorded the further
statement of informant, got medically examined the victim and
submitted charge sheet.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of 3rd Additional Sessions Judge, Bhagalpur in connection with Sessions Trial No. 741 of 2014/Trial No. 687 of 2014 arising out of Sanhaura P.S. Case No. 47 of 2013.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--