

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44591 of 2015

Arising Out of PS.Case No. -128 Year- 2015 Thana -DELHA District- GAYA

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1. Laxman Gupta Son of Late Ganesh Saw R/o Ander Bairagi, Bara Kuan,
P.S. Delha, District Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Binod Kumar -II(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 23-09-2015

Heard both sides.

The petitioner seeks bail in a case under Section 376
and other sections of the Indian Penal Code.

The prosecutrix made allegation that while she was
sleeping with her husband in a room, Mukesh Kumar somehow
entered into the room and committed rape with her. The
prosecutrix did not inform the police as threat was given to her.
On 14.07.2015 Mukesh Kumar telephoned her and asked her to
come to Gaya. The prosecutrix came and Mukesh took her in a
room in which Laxman Gupta, the petitioner, was also present.
They were talking to commit rape with the prosecutrix but in the
meantime police came. The petitioner is not alleged to have
committed rape with the victim and he is in jail since 15.07.2015

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Jigar Shah, learned Judicial Magistrate, 1st class, Gaya in Delha P.S. Case No. 128 of 2015.

(Prabhat Kumar Jha, J)

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