

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2728 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -MASAURHI District- PATNA

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1. Sanjeev Kumar S/o Chandradeo Singh, Resident of Village - Ghorhuan,
P.S. - Masaurhi, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Ram Shankar Das(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-01-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 28.03.2014 on the
accusation of gang rape but admittedly, the statement of victim
was recorded under Section 164 of the Cr.P.C. in which she
specifically stated that on the alleged date of occurrence, the
petitioner had not committed rape on her though he attempted to
outrage her modesty and furthermore, the victim stated that prior
to the date of alleged occurrence petitioner had established
physical relation with her but the statement of the victim reflects
that she was a consenting party and moreover, when the victim
was medically examined she was found between 19 to 20 years.

Considering the aforesaid facts and circumstances as

well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge Harijan, Patna in connection with Special Case No. 127 of 2014 arising out of Masaurhi P.S. Case No. 125 of 2014.

(Hemant Kumar Srivastava, J)

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