

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43539 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -MOKAMAH District- PATNA
=====

1. Sudhir Kumar Paswan Son of Triveni Paswan resident of Village Kanhai,
Pur, ps. Mokama District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad

For the Opposite Party/s Mr. V.S. Modi (App)
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 21.09.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Statement of victim has been recorded under section 164 of
the Cr.P.C in which she levelled allegation of kidnapping and gang
rape against FIR named accused Pankaj son of Triveni and brother-in-
law of the aforesaid Pankaj. Petitioner happens to be son of Triveni
Paswan but submission on behalf of the petitioner is that brother-in-
law of the aforesaid co-accused Pankaj has already been granted
privilege of bail and moreover, alleged occurrence is said to have
taken place on 28.1.2014 and victim was medically examined on
30.1.2014 but no sign of rape was found on her person and, therefore,
the aforesaid circumstance goes to show that statement of the victim is
a tutored statement.

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/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge I, Patna in Special case no. 38/2015 arising out of Mokama P.S. Case no. 21/2014.

shahid

(Hemant Kumar Srivastava,J)

