

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40599 of 2014

Arising Out of PS.Case No. -376 Year- 2013 Thana -PIRBAHOR District- PATNA

Sanjay Kumar S/o Shambhu Sharan Singh at Present R/o Mohalla- Sahay Lane Mahendru P.S.- PIRbahore District- Patna Tenant of Jay Prakash Gupta and Permanent address R/o village- Khedru Bigha, P.S.- Rampur Chauram, District- Arwal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.42563 of 2014

Arising Out of PS.Case No. -376 Year- 2013 Thana -PIRBAHOR District- PATNA

Pramod Kumar Son of Shyam Chandra Rai Resident of Village- Checharbag Tola, Police Station- Biddupur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.40599 of 2014)

For the Petitioner : Mr. Deepak Kumar Singh
For the Opposite Party : Mr. Arun Kr.Pandey(App)

(In Cr.Misc. No.42563 of 2014)

For the Petitioner : Mr. Arvind Kumar Mouar
For the Opposite Party : Mr. Surendra Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-01-2015 Petitioners are languishing in custody since 08.08.2014 and 27.08.2014 in a case registered for the offences punishable under Sections 377/34 of the I.P.C.

It is alleged that petitioners being the tenant of the informant committed unnatural sex with the grand son of the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 01.09.2013 the F.I.R. has been registered on 03.09.2013 when no medical examination of the victim was done and the witnesses deposed during investigation that due to the tenancy dispute the accusation has been levelled.

It is submitted by learned counsel for the informant that the victim in his 161 Cr.P.C. statement has supported the accusation.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the case and the victim not being examined by the doctor, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Pirbahore P.S. Case No. 376 of 2013.

(Dinesh Kumar Singh, J)

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