

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27208 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -KORHA District- KATIHAR

Dharen Ravidas @ Dhiran Ravidas @ Dharen @ Gheran S/o Late Hari Ravidas Resident of village - Belal Chouk (Kheria), P.S. Korha, District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

With

Criminal Miscellaneous No.37888 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -KORHA District- KATIHAR

Naresh Ravidas Son of Late Parmanand Ravidas, Resident of village - Tinpania Belal Chauk, P.S. Korha, District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.27208 of 2015)

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Vinod Shankar Modi, A.P.P.

(In Cr.Misc. No.37888 of 2015)

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. M.K. Nirala, A.P.P.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-10-2015 Both the Criminal Miscellaneous Nos. 27208 of 2015 and 37888 of 2015 are out of the same Police Station Case and, as such, have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners as well as

learned A.P.P. for the State.

The petitioners seek bail in a case for the offences punishable under Sections 341, 342, 376(2) (G), 323, 307, 504, 506 and 120B of the Indian Penal Code.

Allegedly, the informant was sexually assaulted by the petitioners and co-accused for which a Panchayati was convened in which fine of Rs. 41,000/- was imposed upon the accused persons and on 03.01.2015 after pouring kerosene oil they put the husband of the informant on fire. Thereafter, he was taken to the hospital by the Police.

Submission is of false implication and that the petitioners are suffering in custody since 01.04.2015 and 30.01.2015. Chargesheet has already been submitted in this case and both the petitioners have got no criminal antecedent. In the statement recorded under Section 164 Cr.P.C., the victim has alleged that she was raped by Prakash Ravidas and further there is no injury report regarding the burn of the husband of the informant. Similarly situated co-accused Aklesh Ravidas @ Akhilesh Ravidas has been allowed bail vide Criminal Miscellaneous No. No. 27142 of 2015 by order dated 29.07.2015, which was modified by order dated 16.09.2015 vide Criminal Miscellaneous No. 44147 of 2015.

The learned A.P.P. fairly submits that the cases of the petitioners are similar to that of Aklesh Ravidas @ Akhilesh Ravidas.

In the facts and circumstances as stated above, the petitioners are also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 16 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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