

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45522 of 2014

Arising Out of PS.Case No. -7 Year- 2013 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Ganesh Bind Son of Late Sanehi Bind Resident of Village - Jaitpur Kala,
Post Office - Jaitpur Kala, Pollice Station - Bhagwanpur, Dist.-Kaimur
(Bhabua)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 29-04-2015 Heard learned counsel for the petitioner and the learned

A.P.P.

The petitioner apprehends his arrest in Bhagwsanpur
P.S.Case No. 07 of 2013 instituted for offences punishable under
sections 457, 376 (G)/34 of the Indian Penal Code.

The prosecution case is that one Rima Devi, wife of
Rajesh Kumar Mahto @ Bhutto, co-villager of the petitioner gave
a written information to the S.H.O., Bhagwanpur on 26.01.2013 at
1 P.M. stating that on 24.1.2013 at about 1.00 A.M. (Night)
while she was sleeping with her six month old child, two unknown
persons including the petitioner, came to her room and committed
rape one by one on her. Her mother-in-law and sister-in-law, who

were sleeping on the roof top had seen the three persons running away and came near the victim and poured water on her face.

However, from perusal of para-57 of the case diary, it appears that neither mother-in-law nor sister-in-law of the victim has seen the three persons running away from roof top.

Under such circumstances, it is directed that in the event of arrest or surrender within a period of four weeks from today, the above named petitioner Ganesh Bind shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua in connection with Bhagwanpur P. S. Case No. 07 of 2013, subject to condition as laid down under Section 438(2) of Cr. P.C.

(Nilu Agrawal, J)

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