

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36470 of 2014

Arising Out of PS.Case No. -77 Year- 2013 Thana -GOPALPUR District- GOPALGANJ

Mukesh Kushwaha S/o Ram Ashish Bhagat Resident of Village Rampur Khurd, P.S. Gopalpur, District Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

With

Criminal Miscellaneous No.46002 of 2014

Arising Out of PS.Case No. -77 Year- 2013 Thana -GOPALPUR District- GOPALGANJ

Anirudh Singh S/o Sri Ramshyam Kushwaha R/o village - Rampur Khurd, P.S. Gopalpur, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.36470 of 2014)

For the Petitioner/s : Mr. Ghulam Rabbani

For the Opposite Party/s : Mr. M.K.Khare(App)

(In Cr.Misc. No.46002 of 2014)

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Durgesh Nandan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 13-01-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are languishing in custody since 30.05.2014 and 18.07.2014 respectively in a case registered for the offences punishable under Sections 376D/34 of the Indian

Penal Code.

It is alleged that the informant's wife went to her relative Bijay Singh house at village Rampur Khurd when the wife of Bijay Singh went to her sister's house at village Sonipur to attend Tilak ceremony. At about 11.30 P.M. in night Rakesh Singh @ Neta came with two other persons and established forceful physical relationship one by one with the wife of the informant. Name of the petitioners sprang up in the confession of Rakesh Singh @ Neta, who has been put on trial but the victim did not supported the accusation, as a result Rakesh Singh @ Neta has been acquitted. The petitioners have not been put on TIP, statement to that effect has been made in para 10 and 12 of the petitions.

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

Considering the aforesaid facts, let the above named petitioners, 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, Gopalganj in connection with Gopalpur P.S. Case No. 77 of 2013.

The learned court below will be at liberty to

cancel the bail bonds of the petitioners, if they default for two consecutive occasions.

(Dinesh Kumar Singh, J)

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