

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6343 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -MASAURHI District- PATNA

- =====
1. Chandan Kumar son of Tuntun Singh @ Dhananjay Singh
 2. Taklu Kumar @ Talku Kumar son of Yugeshwar Singh Both are resident of village- Ghorahuan, P.S. Masaurhi, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 19-02-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are languishing in custody since 09.12.2014 in a case registered for the offences punishable under Sections 323, 376 (G) of the Indian Penal Code and 3(1) (xi) of SC/ST (Prevention of Atrocities) Act.

It is alleged that the informant went outside the house to ease out, in the meantime, three accused persons, Sanjeev and two others took her in a cabin east to the road and established forceful physical relationship one by one. The name of the petitioners sprang up in the confession of co-accused Sanjeev.

It is submitted by learned counsel for the

petitioners that in 164 Cr.P.C. statement the victim has only named Sanjeev, who attempted to establish physical relationship but since the brother of the informant reached the informant was saved. The victim also stated that earlier Sanjeev established physical relationship with her. During medical examination the victim was assessed to be between 19 to 20 years and considering the above facts, Sanjeev has been granted bail vide Cr. Misc. No. 2728 of 2015.

A statement has been made in para 3 of the petition 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 Sub-divisional Judicial Magistrate, Masaurhi, Patna in connection with Masaurhi P.S. Case No. 125 of 2014.

(Dinesh Kumar Singh, J)

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