

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4482 of 2015

Arising Out of PS.Case No. -224 Year- 2014 Thana -MAJHAHGARH District- GOPALGANJ

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1. Rajdeo Bhagat Son of Ram Swarup Bhagat Resident of vill-
Dhobwalia,P.S-Manjhagarh,Distt.-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Anand Kishore Chaudhary(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 24-04-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

According to prosecution case, the victim was taken away on 13-09-2014 but admittedly, the first information report was given to the police on 19.09.2014, particularly, in the circumstance, when the informant claimed herself to be eye witness of the alleged occurrence. Moreover, in course of investigation, the victim returned her home and her statement was recorded u/S 164 of the Code of Criminal Procedure, in which, she stated that she was forcibly taken away by seven persons including the petitioner and she was subjected to rape by all the seven named persons.

Paragraph-33 of the case diary reveals that the

petitioner was arrested and in his defence, he submitted before the police that the victim was in love with him and at the instigation of victim, he along with the victim left his village. The victim was found between 19-20 years in medical examination.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Majhagarh P.S. Case No. 224 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Gopalganj.

A.K.V./- **(Hemant Kumar Srivastava, J)**

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