

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10265 of 2015

Arising Out of PS.Case No. -486 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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1. Rabindra Roy @ Ramendra Kumar Roy Son of Late Bindeshwari Roy,
Resident of Village - Machhbakhara, P.S. - Madhepura (Bharrahi), District -
Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 30.04.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Admittedly, victim is married lady having two children and
her statement under section 164 of the Cr.P.C has been recorded.

No doubt, victim has stated against the petitioner and other
accused in her statement recorded under section 164 of the Cr.P.C but
submission on behalf of the petitioner is that victim herself eloped
with Raju Paswan and later on, she solemnized her marriage but when
she came in the clutches of her husband, she took U turn. Even if
statement of victim recorded under section 164 Cr.P.C assumed to be
true, then also, allegation of rape is against co-accused Raju.

Considering the aforesaid facts and circumstances as well as
period of detention of the petitioner in jail custody, let the petitioner
be released on bail on furnishing bail bonds of Rs 10,000/- with two

sureties of the like amount each to the satisfaction of the Chief
Judicial Magistrate, Madehpura in Madehpura (Bharrahi) P.S. Case
no. 486/2014.

shahid

(Hemant Kumar Srivastava,J)

