

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38414 of 2015

Arising Out of PS.Case No. -173 Year- 2013 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Sunil Rai Son of Shiv Nath Rai, Resident of Village - Bhawanipur Moujhe,
P.S. - Nakardei Adapur, District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Ranjan, Advocate.

For the Opposite Party : Mr. Binod Kumar No. 2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-08-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offences punishable under Sections 336, 120B and 34 of the Indian Penal Code.

The petitioner along with three persons is alleged to have kidnapped the victim. The victim was recovered on 18.11.2013, but she made her statement under Section 164 of the Cr.P.C. on 04.12.2013.

It has been submitted that similarly situated co-accused Sk. Sajad and Sk. Ashhab have already been enlarged on bail vide order passed in Cr. Misc. No. 44446 of 2014. The case of the petitioner stands on the same footing. It is further submitted that the doctor did not find any sign of rape although the victim after

two weeks of recovery from the captivity alleged that the petitioner and others committed rape with her.

Considering the facts aforesaid and the fact that the case of the petitioner stands on the same footing as that of the two accused persons who have already been enlarged on bail, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri D. Kumar, the learned Judicial Magistrate, Raxaul at Motihari, East Champaran in Adapur P.S. Case No. 173 of 2013.

(Prabhat Kumar Jha, J.)

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