

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11804 of 2015

Arising Out of PS.Case No. -130 Year- 2010 Thana -LAKHISARAI District- LAKHISARAI

- =====
1. Manoj Rawat son of Sri Arjun Rawat
2. Rajendra Barai @ Raju Barhi @ Raju, Son of Late Kanhai Mistri, both
Resident of village- Lachhuar, P.S.- Sikendra, Dist.- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

5 30-04-2015 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Lakhisarai P.S. Case No. 130 of 2010 registered under Section-
366(A) of the Indian Penal Code.

Petitioners are not named in the first information
report, which has been lodged against co-accused, Pappu Kumar.
The name of petitioner No. 1 came in the statement of victim
recorded u/S 164 of the Cr. P.C. in which, she stated that she was
kidnapped by the petitioner No. 1, Pappu Yadav and one Arun
Kumar. The victim has nowhere stated about the involvement of
petitioner No. 2. The victim has admitted that when she was taken

to Patna by the petitioner No. 1 & two others and was confined in a room, the petitioner No. 1 and Arun Kumar left the place and after that, Pappu Kumar committed rape upon her.

The contention on behalf of the petitioners is that the petitioner No. 1 has been implicated in this case because the co-accused Pappu Kumar had transferred some land in favour of mother of petitioner No. 1 one day prior to the alleged occurrence and as a matter of fact, the informant of this case had kept greedy eyes on the property of aforesaid Pappu Kumar.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of the order in the court below, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Lakhisarai P.S. Case No. 130 of 2010 to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai subject to the conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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