

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27551 of 2015

Arising Out of PS.Case No. -3 Year- 2015 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

1. Kanhaiya Ram Son of Jamuna Ram resident of Village- chhotka amon,
Police Station Chand, District Kaimur (Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 341, 342, 323, 376(2)(g), 506, 34 of the Indian Penal Code.

The allegation, in brief, is that when the prosecutrix came out of her house to attend the call of nature then the petitioner and two others lifted her, brought her to a deserted house and all three raped her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The has been falsely implicated in the present case due to personal enmity. The informant is none else but aunt of the petitioner. The medical examination has been conducted on the very next day of the

alleged occurrence and no sign of rape has been found in the medical examination.

On behalf of the State and counsel for the informant, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhabhua at Kaimur in connection with Mahila (Bhabhua) P.S.Case No. 03 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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