

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41666 of 2014

Arising Out of PS.Case No. -4130 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

Munmun Pandey Son of Late Bhagat Pandeya Resident of Village-Nagari,
P.S.-Charpokhari, District-Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachchida Nand Singh

For the Opposite Party/s : Mr. Binod Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 27-01-2015 Heard learned senior counsels for the
petitioner, State and the complainant.

The petitioner is languishing in custody
since 27.06.2014 in a complaint case in which processes have
been directed to be issued after cognizance being taken for the
offences punishable under Sections 376D/34 of the Indian Penal
Code.

It is alleged that the complainant was
called by this petitioner on pretext of providing employment
when this petitioner and one other person ravished her on

01.12.2013.

It is submitted by learned senior counsel for the petitioner that the son of the petitioner was met disabled as he was crushed by tractor of one Dadan Pandey, whose son Purushottam Pandey is a lawyer, but when the claim case was lodged under M.V. Act then in retaliation several cases have been filed at the behest of Purushottam Pandey. The injury report does not reflect any examination of the private part of the body.

It is submitted by learned senior counsel for the complainant that the accusation has been supported by the complainant and the enquiry witnesses which is corroborated by the medical evidence.

It appears from the injury report of the private doctor that the date of examination of the victim has been inserted as 01.12.2013 and in the bottom portion of the injury report it is mentioned that the matter is not being reported to the police since the complaint has already been filed whereas the complaint was filed on 03.12.2013 which reflects the nature of injury report being issued by the doctor.

Considering the aforesaid facts, let the above named petitioner, be released on bail on furnishing bail

bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Patna in connection with Complaint Case No. 4130(C) of 2013.



(Dinesh Kumar Singh, J)

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