

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8625 of 2015

Arising Out of P.S. Case No. -138 Year- 2013 Thana -RAGHOPUR District- VAISHALI
(HAJIPUR)

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Laxman Rai Son of Mahtab Rai, R/o Village Rustampur, P.S. Raghapur,
District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-04-2015 Heard both sides.

The petitioner seeks bail in a case under Section 376
and other sections of the S.C. & S.T. Act.

The prosecutrix alleged that three persons caught her while she had gone to attend the call of nature and Laxman Rai committed rape with her. Matab Rai and Bharat Rai assaulted her with iron rod. The victim was examined by a doctor but the doctor did not find any injury on the person of the prosecutrix. The doctor also did not find any sign of rape. The prosecutrix in her statement under Section 164 of the Code of Criminal Procedure stated that Laxman Rai committed rape with her and she did not name other two persons although she had stated in her first version that three persons caught her. The police, after investigation, submitted chargesheet under Section 354 I.P.C.

Considering the facts aforesaid, the above named petitioner 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 Sri Afzal Alam, J.M., Hajipur Raghapur P.S. Case No. 138/2013.

(Prabhat Kumar Jha, J)

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