

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4493 of 2015

Arising Out of PS.Case No. -21 Year- 2014 Thana -MAHILA PS District- GOPALGANJ

1. Satish Singh S/O Late Ramsagar Singh Resident of vill-Pipra,P.S-Mairwa,Distt.-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s Mr. Kalyan Shankar (App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 03.02.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Mahila
P. S. case no. 21/2014 registered under sections 376 (f) (D), 379,
354(B) and 120B of the IPC.

There appears to be specific allegation of gang rape against
the petitioner but from perusal of the impugned order of learned
Sessions Judge, I find that learned Sessions Judge having perused case
diary observed that there is no material to support the allegation of
rape. Furthermore, I find that learned Sessions Judge has directed the
petitioner to surrender before the court below and seek regular bail.

In the aforesaid circumstances, this petition stands disposed
of with direction to petitioner to surrender and seek regular bail before
SDJM, Gopalganj/ concerned court within four weeks from today and
if he does so, concerned court shall dispose of regular bail application

of the petitioner on the day of his surrender and thereafter, if any regular bail application is preferred before learned Sessions Judge, Gopalganj, the said regular bail application shall be decided on its own merit without being prejudiced by this rejection order, particularly, keeping in mind that having similar allegation co-accused is enjoying privilege of bail and learned Sessions Judge has already observed in his order dated 7.7.2014 passed in ABP no. 1139/2014 that there was nothing in the case diary to support the allegation of rape.

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(Hemant Kumar Srivastava,J)

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