

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8534 of 2015

Arising Out of PS.Case No. -261 Year- 2013 Thana -WAJIRGANJ District- GAYA

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Ramdahin Manjhi

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Brijeshwar Narayan Singh, Advocate.

For the Opposite Party : Mr. Uma Shankar Pd. Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 326, 376/511 of the Indian Penal Code and 3(2)(V) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that Ramashray Manjhi, Vinod Yadav, Upendra Yadav son of Bilash Yadav and Upendra Yadav son of Indradeo Yadav came to in-laws house of the informant and on pretext of illness of mother of the informant, the informant took her on motorcycle but on the way the accused persons assaulted her and made attempt to establish forceful physical relationship. The petitioner was not named in the F.I.R. F.I.R. was registered on 19.06.2013. The victim's 164 Cr. P.C. statement was recorded on 05.12.2013 where she stated that F.I.R. named

accused persons including the petitioner established forceful physical relationship with her. There is no medical report of the victim girl on the record. The husband of the informant filed Informatory Petition No. 2194 of 2013 which is bought on record as Annexure-3 to suggest that the informant is in habit of going traceless without informing her husband.

Considering the fact that the petitioner was not named in the F.I.R., accusation in the F.I.R. is specific against F.I.R. named accused, name of the petitioner sprang up after six months of occurrence in 164 Cr. P.C. statement of the victim and averment of the husband of the informant in the informatory petition, let the petitioner, above named, be released on bail in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Wazirganj P.S. Case No. 261 of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Gaya, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Dinesh Kumar Singh, J)

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