

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15096 of 2015

Arising Out of PS.Case No. -92 Year- 2012 Thana -BAIKUNTHPUR District- GOPALGANJ

Rajendra Pandey Son of Hari Pandey resident of village - Chamanpura,
P.S. Baikunthpur, District - Gopalganj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 12-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
29.01.2015 in a case registered for the offences punishable under
Sections 364/34 of the Indian Penal Code and 3(1)(x) of SC/ST
(Prevention of Atrocities) Act.

It is alleged by the informant that co-accused
Rajkishore Pandey, Ramsewak Pandey, Santosh Pandey and this
petitioner took the son of the informant, Kashinath Ram to
Mumbai for providing employment in the month of March, 2009.
Subsequently when no trace was found the informant went to
enquire about her son then accused persons abused the informant
by calling caste name and assaulted.

It is submitted by learned counsel for the petitioner that at earlier point of time four months prior to the lodging of the present case complainant lodged Complaint Case No. 33 of 2012 with similar accusation in which only Santosh Pandey and Rajkishore Pandey were made accused, which not only suggests inconsistency in the accusation but the malicious accusation. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent and co-accused Ramsewak pandey has been granted bail vide Cr. Misc. No. 10904 of 2015.

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 Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 92 of 2012.

(Dinesh Kumar Singh, J)

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