

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45006 of 2015

Arising Out of PS.Case No. -149 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA

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Lal Sada Son of Badlu Sada, Resident of village- Korthu, P.S.-
Ghanshyampur and District- Darbhanga

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party : Mr. Ajay Kumar No.2(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-09-2015 Heard both sides.

The petitioner seeks bail in a case registered for the offence punishable under Section 376 (G) of the Indian Penal Code.

The prosecutrix alleged that four persons took her in a bush and committed gang rape. On alarm one Ashok Sada was apprehended and he disclosed the name of the petitioner Lal Sada, Bahur Paswan and Chandan Jha.

It is submitted that the doctor did not find any sign of rape. The occurrence is said to have taken place on 14.08.2014. The victim was examined on 16.08.2014. It is further submitted that similarly situated co-accused Bahur Paswan has already been enlarged on bail vide orders passed in Cr. Misc. No. 5616 of 2015

on 27.04.2015. The petitioner was not put on test identification parade. The case of the petitioner stands on the same footing as that of Bahur Paswan.

Considering the facts aforesaid, the petitioner above named 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 Rajaram Santosh Kumar, the learned Judicial Magistrate, First Class, Biroul at Benipur, Darbhanga in Ghanshyampur P.S. Case No. 149 of 2014.

(Prabhat Kumar Jha, J.)

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