

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53862 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -MAHILA P.S BAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Mohan Kamkar @ Mohan Sharma Son of Late Bansi Mahato @ Jadu Kamkar, Resident of Village- Hichhopar, Police Station- Sathi, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Ram Priya Sharan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 02-12-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The victim girl has been recovered and in her statement recorded under Section-164 of the Cr.P.C., she stated that she was kidnapped by petitioner and three others and she further stated that co-accused, Sindhwaz Mian committed rape upon her.

Learned counsel for the petitioner submits that petitioner happens to be aged about more than 65 years and as a matter of fact, the victim was in love with Sindhwaz Mian and she eloped with the aforesaid co-accused, Sindhwaz Mian. It is further contended by him that when the victim returned to her home, she implicated the petitioner in the alleged crime.

Considering the above-said facts and circumstances of the case as well as submission of the parties and also taking note of this fact that it is only stated that petitioner participated in kidnapping of the victim and the allegation of rape is against co-accused, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bagaha Mahila P.S. Case No. 28 of 2014 to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

A.K.V./-

(Hemant Kumar Srivastava, J)

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