

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52530 of 2015

Arising Out of PS.Case No. -592 Year- 2013 Thana -DANAPUR District- PATNA

Maheshwar Prasad
.....
..... Petitioner/s
Versus
The State of Bihar
..... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Ganesh Prasad Yadav
For the Opposite Party/s : Mr. Vinod Shankar Modi(App)
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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Danapur P.S.Case No. 592 of 2013 registered for offences
punishable under Sections 341, 342, 323, 506, 509, 354, 376, 384,
420/34 of the Indian Penal Code.

The prosecution case is that one Manju Devi, informant,
working as agent of Sahara and L.I.C. has given her written report
before S.P., Patna that one Sanjay Kumar helped to give policies
by some persons to the informant. The informant and Sanjay are
friends. The informant went to the office of Sanjay in July, 2012 at
Danapur, in the meantime in the office, Sanjay Kumar and two
other persons namely, Uday Shankar Yadav and Maheshwar
Prasad were present in the office of Sanjay Kumar and thereafter



Sanjay closed the door of the office and all of them started assaulting the informant and opened her clothes forcefully and committed rape one by one with the informant. Sanjay even took her photograph in naked stage. After that the informant executed sale deed in favour of brother-in-law of Sanjay Kumar, namely, Sravan Kumar, who has not paid total consideration money to the informant. After that Sanjay came in April, 2013 to the house of the informant and took signature of the informant on stamp paper threatening her to distribute photograph of the informant in public.

It has been submitted by the learned counsel for the petitioner that the informant, namely, Manju Devi was having enimical relation with Sanjay Kumar, who had also lodged a case against the informant in which the said Sanjay Kumar has also submitted that said Manju Devi, the informant in her deposition has failed to identify the petitioner and other persons, who had joined hands with each other.

A co-ordinate Bench of this Court has already been granted bail to Uday Shankar Yadav passed in Cr. Misc. No. 25196 of 2014 vide order dated 15.09.2015.

I see no reason to take a different view and in such circumstances, the above named petitioner in the event of his arrest or surrender within a period of four weeks from today

before the Court below be enlarged on bail on furnishing bail bonds of Rs, 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna, in connection with Danapur P.S.Case No. 592 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Nilu Agrawal, J)

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