

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18917 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

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Kripa Shankar Pandey, S/o- late Chakradhar Pandey, Resident of Paharpur,
P.S- Habeli Kharagpur, District- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Giri

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 26-05-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since
15.03.2016 in connection with Kishanganj Mahila P.S. Case No.8
of 2016 for the offences instituted under Sections 376 (C), 511,
377, 354, 354 (A) and 354 (B) of the Indian Penal Code.

The prosecution story, in brief, is that on the basis of a
newspaper published on 15.03.2016 regarding the Jail
Superintendent of Kishanganj, the informant on the order of the
District Magistrate, enquired into the matter, in which it was found
that the photograph published in the newspaper with the Jail
Superintendent of Kishanganj is the step-daughter of supplier of
Kishanganj Jail. The mother of the girl married to one Santosh



Agrawal after the death of her first husband and Shikha Agrawal is born out of first wedlock. The petitioner has become friendly with Santosh Agrawal and after taking him and his family into confidence started illicit relation with Shiksha Agrawal. It is alleged that when the petitioner was asked about the photographs and video clips with Shiksha Agrawal, he told that his relation with her is of father and daughter. It is further alleged that earlier the petitioner was involved in some unnatural act with the prisoners of Kishanganj Jail, for which an enquiry is going on by the Human Rights Commission and the District Magistrate. It is also alleged that the petitioner by misutilizing his official position is indulged in physical as well as mental torture of the persons disclosed in the first information report.

It has been submitted on behalf of petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 15.03.2016 and the charge sheet has been submitted in the present case. It is contended by learned counsel for the petitioner that the present case has been instituted on the basis of a newspaper reporting made in the newspaper making certain allegations of sexual abuse by the petitioner. The victim has been examined in paragraph No.28 of the case diary and the mother of the victim has been examined in paragraph No.29 of the case

diary. The allegation made in the F.I.R. has been denied by the victim as well as her mother. There is no medical examination report to support the allegations made in the first information report.

On behalf of the State, it is submitted that the petitioner is named in the first information report.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/ with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No.8 of 2016.

(Sudhir Singh, J)

V.P.Sinha/-

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