

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53351 of 2015

Arising Out of PS.Case No. -29 Year- 2015 Thana -BELCHHI District- PATNA

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1. Tarun Paswan @ Satendra Paswan Son of Ramotar Paswan @ Ramautar Paswan, resident of Village- Alambigha, P.S.- Belchhi, District- Patna.
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal -Advocate

For the Opposite Party/s : Mr. Sunil Kr.Pandey(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 12-02-2016

Heard learned counsel for the petitioner as well as
learned APP for the State.

In spite of having the victim under the custody of the police right from the date of occurrence till her medical examination, she has not been examined by the police nor during course of investigation, police cared to record the statement of the victim and instead thereof, committing some sort of irregularity on that very score, submitted charge-sheet against the petitioner under Section 376 IPC.

That speaks a lot with regard to the conduct of the Investigating Officer and on account thereof, Superintendent of Police, Patna is directed to see and pass appropriate order being a Supervising Authority as identified under Police Manual.

However, on account of such lapses at the end of

Investigating Officer, petitioner, Tarun Paswan @ Satendra Paswan, who is under custody since 26.06.2015, is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Barh, Distt-Patna in connection with Belchhi PS Case No. 29/2015.

(Aditya Kumar Trivedi, J)

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