

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3737 of 2016

Arising Out of PS.Case No. -84 Year- 2015 Thana -KARAHGAR District- SASARAM (ROHTAS)

Raj Kumar @ Laddu Kahar Son of Surendra Singh resident of village -
Hamirpur, P.S. Kargahar, Distt. - Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kr.Sharma(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 24-06-2016

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehends his arrest in connection with
Kargahar P.S. Case No. 84 of 2015 for the offences registered
under Section 366A of the Indian Penal Code.

Earlier dairy of the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that he has
falsely been implicated in connection with the present case
because earlier he had been associated with one Harihar Yadav
with whom the father of the informant and the present petitioner
were working. It is further submitted that though the victim girl
was recovered, later she has given altogether different version
from the story as made out in the first information report.



Learned counsel for the State after perusal of the case dairy submits that in the statement made under Section 164 Cr.P.C. by the victim girl, the petitioner has been squarely named as one of the co-accused persons, who had kidnapped her and committed rape along with another co-accused person. However, after considering all the facts and circumstances, it appears that the informant of the case has stated that the victim was at home on 14.03.2015, on which date, her father has reprimanded her for speaking on the mobile phone with a person having mobile no. 7352064077 and snatched away the mobile and slapped her. The victim girl, however, has stated that she was kidnapped on 13.03.2015 itself and after being confined in the house of Harihar Yadav, she was raped. It appears that there is serious discrepancy in the story as made out by her under Section 164 Cr.P.C. and also the fardbeyan of the informant.

Considering the aforesaid facts and circumstances of the case and also the fact that the petitioner has no criminal antecedent, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the

satisfaction of Judicial Magistrate, Sasaram, Rohtas in connection with Kargahar P.S. Case No. 84 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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