

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32938 of 2016

Arising Out of PS.Case No. -239 Year- 2014 Thana -SHASTRINAGAR District- PATNA

Satrughan Chauhan @ Gunga Bind Son of Mahesh Chauhan Resident of Jhoparpatti, Railway line, Punaichak, Police Station- Sri Krishnapuri, District Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Vivek Anand Kumar, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 21.04.2014 in connection with Shashtrinagar P.S. Case No. 239 of 2014 for the offences alleged under Sections 376(D) and 506 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the accusations are belied from the medical report of the informant, which does not disclose any injury on any part of her body or her private parts, much less any signs of rape having been committed. Her own deposition recorded under Section 164 Cr. P.C. is completely silent with regard to any accusation of rape and she has merely stated that co-accused Pappu had given her some juice to drink which made her unconscious.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction

of learned Additional District & Sessions Judge-III, Patna in connection with Shashtrinagar P.S. Case No. 239 of 2014 corresponding to Sessions Trial No. 14 of 2015 with the following conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence.
- (iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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