

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3187 of 2016

Arising Out of PS.Case No. -43 Year- 2015 Thana -MAHILA PS District- KATIHAR

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1. Md. Alam son of Md. Nizamuddin
 2. Md. Zabed son of Late Md. Shahid
 3. Md. Azaj @ Kariya son of Md. Taslim, All resident of Village Hafla Makhadumpur, P.S. Muffasil, District- Katihar.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sunil Kumar Pathak, Advocate.

For the Opposite Party : Mr. Rajendra Singh Shastri (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 18-02-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners are accused in connection with Katihar Mahila P.S. Case No.43/2015 registered under Section 376(G)/34 of the Indian Penal Code.

The accusation is of committing rape of Sona Murmu by nine persons on pretext to accompany her at her house. In course of committing rape, she became unconscious and thereafter she was found near the ditch.

Learned counsel appearing on behalf of the petitioners submits that it would appear from F.I.R that the occurrence is said to be of 21.09.2015 and the written report has

been filed on 24.09.2015 by the informant in which the name of three accused persons have been added later on, as the victim has not disclosed the name of three named accused in her statement under Section 164 Cr.P.C on 30.09.2015. The name of the petitioners has come in confessional statement of co-accused and they are in custody since 03.10.2015 but they have not put on T.I.P for identification.

Having regard to the facts and circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar in connection with Katihar Mahila P.S. Case No. 43/2015.

(Rajendra Kumar Mishra, J.)

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