

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5505 of 2016

Arising Out of PS.Case No. -28 Year- 2014 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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1. Deepak Ram @ Deepak Rai, son of Late Ram Chandra Ram, resident of
village- Pipardadhi, Police Station- Bagaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Dr. M.K. Gautam (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 31-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Bagaha
Women P.S. Case No. 28 of 2014 registered for the offence
punishable under Section 366(A)/34 of the Indian Penal Code.

The victim girl after recovery in her statement
recorded under Section 164 of the Code of Criminal Procedure
has stated that she was kidnapped by the petitioner and three
others and further stated that co-accused Sindhawaz Mian
committed rape with her.

Submission is of false implication, no occurrence as
alleged has been taken place, the informant has filed compromise
petition also, against the petitioner, there is no specific

allegation, he has voluntarily surrendered on 19.09.2015 and since then he is in custody, similarly situated co-accused Mohan Kamkar @ Mohan Sharma has been allowed bail in Criminal Miscellaneous No. 53862 of 2015 passed by another co-ordinate Bench of this Court.

The learned APP is not in a position to distinguish the case of the petitioner from that co-accused.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha Women P.S. Case No. 28 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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