

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12251 of 2016

Arising Out of PS.Case No. -11 Year- 2015 Thana -GOBRAHIA District-
WESTCHAMPARAN(BETTIAH)

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Pappu Sah Son of Paras Sah, Resident of village- Subhash Nagar, P.S.-
Laukariya, District- West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Rajiv Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under

Section-376(g) of the Indian Penal Code.

The accusation against petitioner is that he, along

with one, Karan Sah committed gang rape upon the informant but

admittedly, the present case was lodged after four months of the

alleged occurrence.

Submission on behalf of the petitioner is that father

of the co-accused; Karan Sah filed complaint petition bearing

Complaint Case No. C-40 of 2015 against the informant of the

present case as well as against her son and in retaliation to the

aforesaid complaint case, the informant brought this false case against the petitioner and co-accused, Karan Sah and as a matter of fact, no such occurrence, as alleged in the first information report, did ever take place.

Taking note of the aforesaid submissions, particularly, keeping in mind that there is delay of four months in lodging the present case and much prior to institution of the present case, father of the co-accused had filed complaint petition against the informant and her son, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Gobrahiya P.S. Case No. 11 of 2015 to the satisfaction of Sri A. Shamim, learned Judicial Magistrate-Ist Class, Bagaha, West Champaran, Bettiah.

A.K.V./-

(Hemant Kumar Srivastava, J)

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