

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20552 of 2016

Arising out of PS.Case No. -107 Year- 2015 Thana -THAWE District- GOPALGANJ

Pawan Rai @ Chhotu, son of Megha Rai, resident of village- Sengar Tola,
Police Station- Revilganj, District- Saran, at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arbind Kumar Singh, Advocate.

For the Opposite Party : Mr. A.K.Choudhary(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-07-2016 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 08.09.2015
in connection with Thawe P.S. Case No. 107 of 2015,
corresponding to G.R. No. 2826/2015 for the offences instituted
under Sections 341, 323 and 377/34 of the IPC.

The prosecution story, in brief, is that the informant,
Ramjan Rai, who is in custody in jail in a case, submitted a written
report before the Superintendent of Jail, Gopalganj, alleging
therein that he was used to be assaulted and committed unnatural
sexual offence forcibly by co-accused Sagar Manjhi and this
petitioner Pawan Rai @ Chhotu and when he made protest, he was
assaulted by them covering him with blanket.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.09.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence. He has falsely been implicated in the present case due to dirty politics prevailing inside the jail. The victim has been examined by the Medical Board on the same day. The medical report do not support the allegations made in the F.I.R. The other co-accused has been granted bail vide Cr. Misc. No. 13970/2016.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Gopalganj, in connection with Thawe P.S. Case No. 107 of 2015.

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(Sudhir Singh, J)