

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51151 of 2015

Arising Out of PS.Case No. -73 Year- 2009 Thana -GAYA HARIZAN District- GAYA

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Babulal Mahto, son of Mathura Mahto, R/o Village- Lakanpur, P.S.
Mufassil, Distt- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sunil Kumar Yadav

For the Opposite Party : Mr. Ram Shankar Das (Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 08-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with SC/ST
P.S. Case No. 73 of 2009, registered under Sections 354, 376,
323, 504/34 of the Indian Penal Code and Section 3(i)(ii)(xii) of
SC/ST Act, 1989.

The allegation against the petitioner and three others
is to carry the complainant/informant forcibly from her house
and tried to commit rape in the field.

Learned counsel appearing on behalf of the
petitioner submits that occurrence is said to be committed on
05.08.2009, but the informant has lodged the Complaint Case
No. 1544 of 2009 on 25.08.2009 after 20 days without any

explanation, due to grudge and enmity with the petitioner and others. Further submission is that similarly situated co-accused, namely, Ganesh Mahto has already been granted privilege of bail by a coordinate Bench of this Court vide order dated 30.09.2015 passed in Criminal Misc. No. 45322 of 2015. The petitioner is in custody since 10.09.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with SC/ST P.S. Case No. 73 of 2009.

(Rajendra Kumar Mishra, J)

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