

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45947 of 2016

Arising Out of PS.Case No. -236 Year- 2016 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Amit Kumar
2. Ajay Kumar @ Ajay Kumar Sah Both sons of Parasnath Sah Resident of Village- Rampur Bhaisahi, P.O.- Matyakhas, P.S.- Kuchaikote, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-11-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case instituted under Sections 376/34 of the Indian Penal Code.

Allegation against petitioners is of committing rape upon informant.

It has been submitted on behalf of the petitioners that they have got no criminal antecedent. There is no allegation of tampering of witnesses against petitioners. F.I.R. has been instituted after five days from the release of the victim from the illegal confinement. Delay has not been explained by informant. The medical examination report does not support the allegation made in the F.I.R. Other family members of the informant do not support the allegation in course of investigation which is evident from paras- 10, 11 and 18 of the case diary.

On behalf of the State, it is submitted that petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj (Town) P.S. Case no. 236 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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