

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8750 of 2016

Arising Out of PS.Case No. -33 Year- 2015 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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RAJIV KUMAR SINGH @ RAM NIVAS SINGH @ BULET SINGH Son
of late Surendra Singh Resident of Village Basant Jagjivan tole, Gadhwa,
Ps Purnahi District Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bindeshwar Sah

For the Opposite Party/s : Mr. Sahin Begam(App)

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

3 26-04-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in connection with Dhaka
(Panchpakari) P.S.Case No. 33 of 2015 registered for the offences
punishable under Sections 376/34 , 452/34 and Sections 4,6 and
8 POSCO Act .

Allegedly, in the F.I.R. there is allegation against the
petitioner and other three unknown persons that after entering into
the house of the informant they committed rape with minor grand
daughter of the informant, namely, Manisha Kumari and daughter-
in-law of the informant, Babita Devi and further all were caught
red handed with three mobile sets, later on, they succeeded in
fleeing away.

During investigation the victim Manisha and Babita

Devi have not supported the allegation of rape and they have simply stated that the petitioner earlier has also came in the house and on the day of occurrence, he also came but has not committed any overt act, which is mentioned in paras-24 and 25 of the case diary.

The learned A.P.P. opposes the prayer for bail.

In the facts and circumstances as stated above, considering the statement of the two victims, the petitioner is directed to 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 learned 1st Additional Sessions Judge, Motihari in connection with Dhaka (Panchpakri) P.S.Case No. 33/2015, G.R. No. 230/2015, 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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