

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56185 of 2015

Arising Out of PS.Case No. -48 Year- 2014 Thana -NARDIGANJ District- NAWADA

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Pradeep Chauhan S/o Arjun Chauhan, Resident of Village- Nanaura, P.S.-
Nardiganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.PP)

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

3 11-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Nardiganj
P.S. Case No. 48 of 2014 registered for the offences punishable
under Sections 341, 323, 324, 307, 376 and 504/34 of the Indian
Penal Code and Section 3(i)(x)(xi) of SC & ST (Atrocity) Act.

The petitioner is named in the First Information Report
along with Pramod Chauhan and Raghunandan Chauhan who have
committed rape upon the informant but in the statement recorded
under Section 164 Cr.P.C. the victim-informant has only stated the
name of co-accused Pramod Chauhan and not the petitioner.

Submission is of false implication and that the
informant has been examined by the doctor but no sign of recent

intercourse was found and moreover Pramod Chauhan who is named in the statement recorded under Section 164 Cr.P.C. has faced trial vide Special (Harijan) Trial No. 220 of 2014 and he has been acquitted and, as such, the petitioner who is suffering in custody since 23.06.2015, deserves sympathetic consideration to which the learned Special Public Prosecutor does not dispute.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of 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., Nawada arising out of Nardiganj P.S. Case No. 48 of 2014 subject to the conditions that one of the bailors must be 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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