

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25294 of 2016

Arising Out of PS.Case No. -120 Year- 2014 Thana -NIMCHAKBATHANI District- GAYA

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Dharmendra Kumar Das son of Shyamdeo Ravidas resident of Village Bahorama,
P.S. Neemchak Bathani, District Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Advocate with
Mr. K. N. Jamuar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 15-06-2016

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Neemchak Bathani P.S. Case
No. 120 of 2014 dated 12.10.2014 instituted under Sections
498A/366A/376 of the Indian Penal Code.

The allegation against the petitioner is that he had called
the daughter of the informant and later on she is alleged to have been
raped by the son-in-law of the informant, who happens to be the
brother-in-law of the petitioner.

Learned counsel for the petitioner submits that only
because of the relationship of the petitioner with the main accused,
namely Munna Kumar @ Munna Ravidas, he has been implicated

though he has no role in the entire episode. It is further submitted that the so called victim girl has given statement before the Court under Section 164 of the Code of Criminal Procedure, 1973 that Munna Kumar @ Munna Ravidas, who is her brother-in-law, did not forcibly commit rape and it was done with consent. Learned counsel further submits that the said Munna Kumar @ Munna Ravidas has been granted bail by a co-ordinate Bench of this Court by order dated 17.03.2015 in Cr. Misc. No. 10951 of 2015. It is submitted that the petitioner having clean antecedent is in custody since 13.04.2016.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate Xth, Gaya in Neemchak Bathani P.S. Case No. 120 of 2014.

The petitioner shall cooperate in the trial and failure to do so shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	N/A
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