

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49203 of 2015

Arising Out of PS.Case No. -25 Year- 2015 Thana -KAUAKOL District- NAWADA

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Sanoj Yadav Son of Asho Yadav resident of village - Chhabail, P.S.
Kauwakol, Distt. - Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-02-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 448, 376, 504, 341, 323 and 379 of the Indian Penal Code and Section 3 (i) (xii) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the petitioner is of committing rape upon the informant.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. Petitioner has falsely been implicated in the present case due to previous enmity. From perusal of para-55 of the case diary it is evident that the Supervising Officer has found the case to be false under the offence as alleged in the F.I.R. and has found the case to be true only under bailable offence. From perusal of the case diary it appears that there is no cogent material to support the allegation made in the F.I.R. The other co-accused have been granted bail vide Cr. Misc. no. 39759 of 2015.

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

Considering the aforesaid facts and circumstances, let the

above named petitioner, 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) with two sureties of the like amount each to the satisfaction of Sri S. K. Mishra, learned Judicial Magistrate, Ist Class, Nawada, in connection with Kauwakol P.S. Case no. 25 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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