

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26956 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -MAHILA P.S. District- SARAN

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Laxuman Prasad @ Laxman Prasad, Son of Late Ram Bachan Sah,
Resident of Village- Bara Telpa, P.S. Chapra Town, District Saran at
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Mahila P.S. Case No. 12
of 2016 instituted for the offence under Sections 376, 342 and
506/34 of the Indian Penal Code.

It has been submitted that Final Form has been
submitted against this petitioner by the police after investigation.
It has further been submitted that the occurrence is said to have
taken place on 28.1.2016 but the case has been filed before the
police on 17.3.2016.

The doctor has found hymen of the victim girl intact
and no mark of injury was found on her private parts. The age of
the victim has been assessed to be 17-18 years.

As per written report, the petitioner took the daughter



of the informant to his house while she was going to depose in Civil Court Chapra, and committed rape with her along with two unknown persons.

The victim girl in her statement under Section 164 Cr. P.C. has stated that this petitioner is her brother-in-law (*bahnoi*). The doctor has found no sign of injury on her private parts. The hymen was found intact.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 A.D.J.-I, Saran at Chapra, in connection with Mahila P.S. Case No. 12 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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