

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44304 of 2016

Arising Out of PS.Case No. -131 Year- 2012 Thana -AMARPUR District- BANKA

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1. Uday Yadav son of Late Subodh Yadav resident of Village- Bari Jankipur, P.S.- Amarpur, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 10.01.2017 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State.

Informant, initially, filed complaint case which was converted into police case. The date of occurrence is said to be on 15.4.2012 whereas complaint petition was filed on 21.4.2012.

Submission on behalf of the petitioner is that father of the petitioner was killed by husband of the informant of the present case and others on 17.4.2012 for which Amarpur P.S. Case no. 76/2012 was registered against husband of the informant and others. It is further submitted that, as a matter of fact, informant lodged this false case to put pressure upon the petitioner and others so that they could not depose against her husband in Amarpur P.S. Case no. 76/2012. It is further submitted that the informant was examined in course of investigation and when I.O asked the informant to produce the victim for her medical examination, the informant flatly refused to do so



which is evident from perusal of para 6 of the case diary. Above all, informant also refused to hand over cloths of the victim.

No doubt, it is a serious case of gang rape but considering the above stated submissions as well as facts and circumstances of the case, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka in Amarpur P.S. Case no. 131/2012.

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(Hemant Kumar Srivastava,J)

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