

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9234 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -GOPALPUR District- PATNA

=====

1. Karu @ Karu Ravidas, son of Sri Pramod Mochi @ Pramod Ravidas,
resident of Village- Meharari Chak, Police Station- Gaurichak, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sri Dashrath Mehta

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 29-03-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 08.11.2016 in connection
with Gopalpur P.S. Case No. 131 of 2016 registered under Sections
376/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, has falsely been implicated in
this case. In fact, there is an inordinate delay of about 37 days in
lodging the F.I.R. without any explanation, which itself creates doubt
on the prosecution version. Neither the statement of the victim has been
recorded by the police under Section 164 Cr.P.C. nor the victim has
been medically examined in this case. Moreover, it is evident from
annexure-2 of the supplementary affidavit that the informant has
already initiated a proceeding under Section 107 Cr.P.C. against the



petitioner only to harass him. Besides that as per paragraph 56 of the case diary, it is evident that there was a dispute for realization of sum of Rs. 20,000/- between the parties. The petitioner is in custody for the last four months.

Considering the nature of accusation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna in connection with Gopalpur P.S. Case No. 131 of 2016.

(Arvind Srivastava, J.)

brajesh/-

U		T	
---	--	---	--

