

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2326 of 2017

Arising Out of PS.Case No. -136 Year- 2016 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Ram Sharan Sah @ Rakesh Sah, son of Mosahab Sah, resident of Village-
Shitalpatti, P.S.- Pipra, Dist- East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 31-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Pipara
P.S. Case No. 136 of 2016 registered under Sections 341, 323,
376, 376D and 504/34 of the Indian Penal Code.

The accusation is that when the informant along with
her daughter was returning to his house from OM Hospital after
treatment of her daughter then, in the way, Sanjay Sah and
Madan Sah met her and asked for boarding in the Magic Van to
see of at her house. Thereafter, she was taken at lonely place,
where two persons namely, Sunil Sah @ Kaliya and this
petitioner also came and all committed rape on her.

Learned counsel for the petitioner submits that the
victim has stated in her statement, under Sections 164 of the
Cr.P.C., that she was boarded at Tempo by Sunil Sah and this



petitioner and she was taken at lonely place, where two persons came and all committed rape. But she further stated that she had gone with the petitioner and others according to her own sweet will to see the film and no any offence was committed with her. Further submission is that petitioner has no criminal antecedent and is in custody since 26.08.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran, in connection with Pipara P.S. Case No. 136 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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