

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2319 of 2017

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

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Sunil Sah @ Kaliya, Son of Shrilal Sah, Resident of Village- Shitalpatti,
P.S. Pipra, Distt- 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 Gopesh Kumar, 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 boarding on Magic Van and carried
at lonely place, where Ram Saran Sah and this petitioner came and
all committed rape on her.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. It is further submitted that the informant, who is the victim, has stated the different story in her statement, under Section 164 of the Cr.P.C., about going to see the film with further contention that no misbehaved 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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