

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2332 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SHANKARPUR District- MADHEPURA

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1. Chandra Bhushan Yadav @ Banti Yadav S/o Birendra Yadav, resident of Village- Kabiya, Tola- Maura Baghala, P.S. Shankarpur, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amarnath Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2017

Heard the parties.

This application is for grant of bail in connection with Shankarpur P.S.Case No.17 of 2017 for the offences punishable under Sections 376(D), 506 and 34 of the Indian Penal Code.

Allegation against the appellant, as per F.I.R. is that the appellant and other co-accused persons surrounded the girl and Santosh Yadav committed rape upon the victim girl. Allegation against this appellant is of assisting him by not allowing any person to go there.

Submission of the learned counsel for the appellant is that the appellant has been falsely implicated in this case and later on a petition has been filed in this case in the court below that the case has been filed due to some mistaken identity.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, I am not inclined to grant bail to the appellant, however, the learned court below is directed to expedite the trial of the petitioner and once the informant (prosecutrix) is examined in this case, the appellant is at liberty to renew his prayer for bail before the court of Special Judge itself, who will consider the same on the basis of the materials available at that time and will pass appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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