

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14045 of 2017

Arising Out of PS.Case No. -48 Year- 2013 Thana -SANHOULLA District- BHAGALPUR

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1. Samir Kaji Son of Late Abdul Kaji @ Abdo Kaji, Resident of Village-
Kamalpur, P.S.- Sanhoulla, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. C. Mishra, Advocate

Mr. Davendra Kumar Pandey

For the Opposite Party/s: Mr. Sri Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 19-06-2017 Heard both sides.

The petitioner seeks bail in Sanhoulla P.S. case No.
48 of 2013 under Section 448, 376/34 of the Indian Penal Code.

The prosecutrix alleged that on 22.06.2013 in the
night about 1 A.M., when she came out from her house for
urination, Samir Kaji and Mister Kaji committed rape with her.

The learned counsel for the petitioner submits that
prayer of petitioner for bail was earlier rejected vide order dated
13.05.2014 passed in Cr. Misc. No. 2298 of 2014. The petitioner is
in jail since 13.08.2013 but later on accused Md. Mister Kaji @
Md. Mister was granted anticipatory bail vide order dated
09.04.2015 passed in Cr. Misc. No. 49466 of 2015 by a coordinate



Bench of this court. The petitioner is in jail for about four years but the trial has not yet been concluded and only three witnesses have been examined. It is further submitted that there is series of litigation between two sides.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner has already remained in jail for about four months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge, Bhagalpur in Sessions Trial No. 1201 of 2013, arising out of Sanhoulla P.S. Case No. 48 of 2013.

(Prabhat Kumar Jha, J)

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