

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48943 of 2016

Arising Out of PS.Case No. -275 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Pappu Chaudhary Son of Jatha Chaudhary @ Govind Chaudhary
resident of village - Bishar, P.S. Moffasil, District Gaya (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Sri Binod Kumar 3

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner is in custody since 25.06.2016 in connection
with Moffasil P.S. Case No. 275 of 2016 registered under Sections 376
of the Indian Penal Code.

3. Accusation is of rape and threat to kill the informant.

4. Learned counsel for the petitioner has submitted that the
petitioner has falsely been implicated in this case. No offence under
Section 376 of the Indian Penal Code has been committed by the
petitioner. The Doctor, who examined the victim, has stated that no sign
of any violence or rape on the body of the victim has been found, which
is evident from Annexure-2 to this petition. Moreover, statement under
Section 164 Cr.P.C. itself contradict the allegation as alleged in the
F.I.R. The petitioner is of clean antecedent and rotting in judicial



custody for the last seven months.

4. Considering the facts and circumstances of the case and 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 C.J.M, Gaya in connection with Moffasil P.S. Case No. 275 of 2016.

(Arvind Srivastava, J)

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