

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55117 of 2016

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

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Sanjay Sah, S/o Ram Ayodhya Sah, Resident of Vill. - Sitalpatti, P.S. -
Pipra, Distt. - East Champaran. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate

For the Opposite Party : Smt. Asha Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 29-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Pipra P.S
Case No. 136 of 2016 (G.R. No. 4265 of 2016) registered for the
offences punishable under Sections 341, 323, 376, 376(D), 504
and 34 of the Indian Penal Code.

Allegedly, the informant was returning to her house
from Om Hospital after treatment of her daughter then, in the way
the petitioner and Madan Sah met her and asked her for boarding
in Magic Van, thereafter, she boarded in Magic Van but she was
brought at lonely place where Ram Sharan Sah and Sunil Sah also
came and all committed rape on her.

Submission is of false implication and that the
informant who is the victim has stated different story in her
statement recorded under Section 164 Cr.P.C. in which she stated
that she went to see film out of her own consent and further she



has stated that no misbehave was committed with her. The petitioner has got no criminal antecedent and he is suffering in custody since 26.08.2016 and co-accused Sunil Sah @ Kaliya, Ram Sharan Sah @ Rakesh Sah and Madan Sah have also been allowed bail and, as such, the petitioner deserves sympathetic consideration.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Pipra P.S. Case No. 136 of 2016 (G.R. No. 4265 of 2016), subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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