

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7029 of 2017

Arising Out of PS.Case No. -102 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

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Hare Ram Patel, Son of Late Chhathu Patel, Resident of Village- Kushar,
P.S.- Mohammadpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks bail in connection with Mohammadpur
P.S. Case No.102 of 2016 registered under Sections 366, 341, 376,
120B and 379 of the Indian Penal Code.

The accusation against is that on 23.10.2016 in the evening at
about 04.00 P.M., the informant Sunita Kumari had gone to
Muhammadpur Bazar boarding on her scooty to purchase the medicine.
In the way, the petitioner, his two sisters and two unknown persons,
who were sitting on bolero vehicle, met her and then this petitioner
forcibly took her in the vehicle and, thereafter, the informant was kept
in a room from where two sisters of the petitioner moved but,
thereafter, two person also came there and this petitioner committed



rape on her. Thereafter, the informant was taken by the petitioner boarding on scooty and four persons also followed them on the motorcycle but, in the way, the informant raised alarm and, then, they fled away.

Learned counsel appearing on behalf of the petitioner submits that, in fact, Mohammadpur P.S. Case No.213 of 2015 under Section 224 of the Indian Penal Code was instituted against Sanju Devi and her husband Guddu Mahto and, on investigation, the police submitted charge-sheet against the informant of the present case on 25.03.2016 in which the petitioner is chargesheeted witnesses, due to that reason, Sunita Kumari, the informant of the present case, falsely implicated the petitioner with the allegation of committing rape on her by taking her with the help of his sisters and others. Further submission is that the petitioner is in custody since 17.11.2016.

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, Gopalganj, in connection with Mohammadpur P.S. Case No.102 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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