

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54258 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -NAYAGAON District- SARAN

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1. RANJAN KUMAR SINGH @ DHAPU SINGH @ DHAPUR SINGH
Son of Rajeshwar Singh

2. Rakesh Kumar @ Rakesh Singh @ Karu Singh S/o late Sheonarayan
Singh Both residents of village Harpur Nand, P.S.Nayagaon, District Saran
(Chapra).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 05-01-2018

Heard the counsels for the parties.

The petitioners seek bail in connection with Nayagaon
P.S. Case No. 07/2017 dated 05.02.2017 instituted for the offences
under Sections 341, 323, 379, 504 and 376 of the Indian Penal
Code read with Section 27 of the Arms Act.

The victim/complainant/informant has alleged that on
the gun point, she was raped by all the accused persons, including
the petitioners. The occurrence is said to have taken place on
01.01.2017, whereas the complaint was lodged on 12.01.2017,
which was sent under Section 156(3) of the Cr.P.C. for the
institution of a regular case, whereafter the subject F.I.R. was
registered for investigation after about a month.

Learned counsel appearing for the petitioners has



submitted that the fact that there has been an unusually long delay in registering the case and that the petitioners stand in special relation of uncle and nephew amongst themselves, which are good grounds to doubt the prosecution version. It has further been submitted that the police deliberately has not produced the victim before the Magistrate for recording her statement under Section 164 of the Cr.P.C. and she has also not been medically examined. The reason for false implication is that there is a plot of land by the side of the house of the complainant/prosecutrix, belonging to the petitioners, which the victim wants to purchase and for which the petitioners are not agreeable.

Regard being had to the aforesaid facts as well as the period of custody of the petitioners, which is from 16.08.2017, this Court is inclined to grant bail to them.

The petitioners above named are directed to be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIII, Saran at Chapra in connection with Nayagaon P.S. Case No. 07/2017.

(Ashutosh Kumar, J.)

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