

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40305 of 2018

Arising Out of PS. Case No.-240 Year-2017 Thana- DUMRAO District- Buxar

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Srinath Ram @ Chhotu, Son of Late Khedan Ram, Resident of Village-
Dakhin Tola, Dumraon, P.S.- Dumraon, District- Buxar.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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with

Criminal Miscellaneous No. 40528 of 2018

Arising Out of PS. Case No.-240 Year-2017 Thana- DUMRAO District- Buxar

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Devmuni Ram Son of Ramji Ram, resident of Village- Dumraon Dakhin Tola,
P.S.- Dumraon, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

(In Criminal Miscellaneous No. 40305 of 2018)

For the Petitioner : Mr. Anil Kumar Singh, Adv.

For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

(In Criminal Miscellaneous No. 40528 of 2018)

For the Petitioner : Mr. Anil Kumar Singh, Adv.

For the Opposite Party : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 18-09-2018 Since both the cases arise from same P.S. as such they
are taken up together for consideration.

Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Dumraon P.S. Case No. 240 of 2017 (S. Tr. No.
13 of 2018) registered for the offences punishable under



Sections 364, 376 (2), (G), 307 and 120 (B) of the Indian Penal Code and under Section 27 of Arms Act.

Informant who is the victim girl has alleged that petitioners along with other co-accused had committed rape upon her at the instance of her father, mother and fufa. The allegation as stated in FIR appears to be improbable and unnatural. Informant in her deposition as P.W. 1 has retracted from her earlier version and denial allegation of any rape.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. There is no eye witness of the alleged occurrence. They are in custody since 14.08.2017 and 22.08.2017 respectively.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st., Buxar in connection with Dumraon P.S. Case No. 240 of 2017 (S.Tr. No. 13 of 2018).

(S. Kumar, J)

Rajiv/Manoj

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