

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.217 of 2019

Arising Out of PS. Case No.-393 Year-2018 Thana- MITHANPURA District- Muzaffarpur

Chandan Thakur @ Chandan Singh son of Paras Nath Singh Village - Rajput
Tola P.S. Mithanpura District Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 350 of 2019

Arising Out of PS. Case No.-393 Year-2018 Thana- MITHANPURA District- Muzaffarpur

Dabloo Thakur @ Dabloo Singh @ Anjit Singh S/O Late Maheshwar Singh
Village - Rajput Tola

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 217 of 2019)

For the Appellant/s : Mr.Alok Kumar Alok

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 350 of 2019)

For the Appellant/s : Mr.Alok Kumar Alok

For the Respondent/s : Mr.Binay Krihsna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 28-02-2019

Both the cases i.e. Cr. Appeal (SJ) No.217 of 2019 and Cr. Appeal (SJ)

No.350 of 2019 are being heard together as they arises out of the same P.S.Case.

The appellants are apprehending their arrest in connection with Mithanpura P.S.Case no.393 of 2018 , registered for offences punishable under Sections 376(D), 448, 341, 323, 504, 506, 379/34 of the Indian Penal Code Section 4 of POCSO Act and Sections 3(2)(v)a/3(8) R w(i)(ii) of SC/ST Act.



Allegation against the appellants of both the cases is of committing rape upon the informant.

Submission of the learned counsel for the appellants is that the statement of the girl has been recorded under Section 164 Cr.P.C. and she is not stated any single word about commission of rape rather she has stated other allegations and the medical report does not support the prosecution case and they have falsely been implicated in this case.

Heard learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants of both the cases as above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, POSCO cum Addl. Sessions Judge 1st, Muzaffarpur in connection with Mithanpura P.S. Case No.393 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

chn/-

(Vinod Kumar Sinha, J)

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

