

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64379 of 2018

Arising Out of PS. Case No.-388 Year-2018 Thana- CHAPRA TOWN District- Saran

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Randhir Prasad, Secretary, Nari Uthan Kandra, Son of Ram Naresh Sah,
Resident of Village- Chaknoor Saidhpur, Dighwara, P.S.- Dighwara,
District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Adv.
For the Opposite Party/s : Mr. Sri Nityanand Tiwary, A.P.P

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 14-03-2019 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Chapra Town P.S. Case No. 388 of 2018 for the offence

punishable under Sections 376(C), 201, 315 and 120(B) of

the Indian Penal Code.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has not committed any offence. In fact, the

specific allegation of commission of rape on the victim is

attributed to the co-accused, Ram Swaroop Pandit and no

specific allegation is leveled against the petitioner. Moreover,

it is quite apparent from the paragraph- 98 of the case diary,



which is the statement of the victim, that the victim has clearly disclosed the name of Ram Swaroop Pandit but she has not whispered anything about the petitioner. Therefore, no case under Section 376(C) of the I.P.C. is made out against this petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the, above named, petitioner in the event of surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 388 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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