

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65542 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- GOH District- Aurangabad

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Ajeet Yadav, S/o Awadhesh Yadav, R/o Village- Munjhara, P.S.- Goh, District-
Auranagabd, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 24-01-2019 Heard leaned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody since
25.06.2018 in a case registered for the offences punishable
under Sections 457, 376D and 506 of the Indian Penal Code.

The prosecution case as per the written report of
Puja Devi submitted to SHO, Goh Police Station is to the
effect that on 14.06.2018, when the informant was alone in the



house, four accused persons including the petitioner ravished her and gave her life threatening, if she discloses their names.

It is submitted by learned counsel for the petitioner that for the occurrence of 14.06.2018, FIR was registered on 22.06.2018. It is further submitted that medical report does not corroborate the accusation of rape and the victim has not named the petitioner in her statement recorded under Section 164 of the Cr. P.C. It is further submitted that similarly situated co-accused has been granted bail by co-ordinate Bench of this Court vide order dated 17.12.2018 passed in Cr. Misc. No. 63875 of 2018. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP after going through the case diary submits that the victim has not named the petitioner in her statement recorded under Section 164 of the Cr. P.C.

Considering the delayed lodging of the case, accusation not being corroborated by the medical opinion and similarly situated co-accused being granted bail by co-ordinate Bench of this Court, couple with the statement made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner



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 learned **SDJM, Aurangabad** in connection with **Goh P.S. Case No. 130 of 2018.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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