

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49322 of 2018**

Arising Out of PS. Case No.-60 Year-2015 Thana- CHIKSAUR District- Nalanda

Abadhesh Singh, Son of late Sukhu Chand Prasad, Resident of Village Fatehpur, Police Station Chiksaura, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Sri Umeshnand Pandit

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

3 08-05-2019 Heard both sides.

The petitioner seeks bail in Chiksaura P.S. Case No.60 of 2015, corresponding to Sessions Trial No.178 of 2016, registered under Sections 363 and 365 of the Indian Penal Code. Later on Section 376(G) of the Indian Penal Code was added.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier thrice rejected by this Court on 13.12.2016, 22.03.2017 and 16.08.2017. The petitioner is in jail since 15.12.2015. The informant lodged the case against unknown but the victim made her statement under Section 164 Cr.P.C. after her recovery. The victim named the petitioner, Abadhesh Singh, Sunil, Shrawan and Alok and alleged that they all committed rape with her for many days. Learned counsel for the petitioner further submits that Alok



Kumar Suman was granted bail by a coordinate Bench of this Court vide order passed in 15961 of 2017 on 12.05.2017. Vikash Kumar was granted bail by the learned 1st Additional Sessions Judge on 24.06.2016. Sunil Kumar was granted bail by the learned 1st Additional Sessions Judge on 20.01.2017. The case of the petitioner stands on the same footing and petitioner is rotting in jail for about 3½ years.

Taking into consideration the fact that similarly situated other three accused persons have already been granted bail and the fact that the petitioner has already remained in jail for 3½ years, the petitioner, above named, is directed to be enlarged 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 1st Additional Sessions Judge, Hilsa, Nalanda in connection with Chiksaura P.S. Case No.60 of 2015, corresponding to Sessions Trial No.178 of 2016.

(Prabhat Kumar Jha, J)

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