

Bittu Kumar Vs. the State of Bihar

Bittu Kumar Vs. the State of Bihar

SooperKanoon Citation : sooperkanoon.com/974258

Court : Patna

Decided On : May-24-2012

Appellant : Bittu Kumar

Respondent : The State of Bihar

Judgement :

Patna High Court Cr.Misc. No.41371 of 2011 (3) dt.24-01-2012 IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.41371 of 2011

===== Mukesh Vishwakarma, S/O-Shailendra Vishwakarma Petitioner/s Versus The State Of Bihar Opposite Party/s

===== with Criminal Miscellaneous No.43440 of 2011

===== Anukul

Kumar, S/O-Rama Sao Petitioner/s Versus The State Of Bihar Opposite Party/s

===== with Criminal Miscellaneous No.366 of 2012

===== Bittu

Kumar, S/O-Murari Prasad Sinha @ Murari Prasad Petitioner/s Versus The State Of Bihar Opposite Party/s

=====

===== CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

24. 01-2012 All the above stated petitions arise out of Akbarpur P.S. Case No. 173 of 2011 registered under Sections 366, 376, 342, 292 and 120 B of the Indian Penal Code and accordingly, all the above stated petitions are being disposed of by this common order. Heard learned counsel for the petitioners as well Patna High Court Cr.Misc. No.41371 of 2011 (3) dt.24-01-2012 as learned Additional Public Prosecutor for the State assisted by learned counsel for the informant. Admittedly, the statement of victim has been recorded under Section 164 of the Cr.P.C. in which she stated that she was forcibly taken away by one Pintu Tiwary as well as some other first information report named accused persons including petitioner in Cr. Misc. No. 41371 of 2011 and after that Pintu Tiwary committed rape on her whereas other accused prepared her blue film. The victim has not named the petitioners of Cr. Misc. Nos. 43440 of 2011 as well as 366 of 2012 and the aforesaid fact has frankly been accepted by learned counsel appearing on behalf of the informant. So far as petitioner in Cr. Misc. No. 41371 of 2011 is concerned, there is no allegation of rape against him and at best it can only be said that he had prepared the blue film of the victim along with other co-accused persons. Considering the aforesaid facts and circumstances as well as submissions of the parties, let all the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna High Court Cr.Misc. No.41371 of 2011 (3) dt.24-01-2012 Nawada in connection with Akbarpur P.S. Case No. 173 of 2011. (Hemant Kumar Srivastava, J.) SHAHZAD

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com