
(2009) 04 AHC CK 0093
In the Allahabad High Court

Sangam Singh

APPELLANT

Vs

State of U.P.

RESPONDENT

Date of Decision : 20-04-2009

Acts Referred:

Citation : (2009) 04 AHC CK 0093

Hon'ble Judges : Abdul Mateen, J

Judgement

A. Mateen, J.

Heard learned counsel for the applicant and learned Additional Government Advocate. Gone through the FIR, bail rejection order and medical examination report of Kumari Gudiya.

It has been argued by the learned counsel for the applicant that name of the applicant has unnecessarily been roped in for the reason that there is no allegation as such in the FIR with respect to commission of any offence by the present applicant. It has been further argued that role with respect to commission of rape at the most has been assigned to Rahul Singh one of the coaccused. It has been further argued as comes out from the bail rejection order that in the statement of Kumar Gudiya recorded under Section 164 Cr.P.C. she has stated that the applicant has bolted the door from outside while she was subjected to rape by coaccused Rahul Singh. It has been further argued that as per medical examination report of Kumari Gudiya (prosecutrix) she is habitual of sexual intercourse, her hymen was found old torn and she has been shown to be nineteen years of age.

Taking into consideration totality of the circumstances, I find it a fit case for bail.

Let applicant Sangam Singh, accused of Case Crime No. 205 of 2009, under Sections 376, 511 and 506 IPC, police station Kotwali Nagar, District Sultanpur be released on bail on his furnishing a personal bond and two sureties each in the like amount to the satisfaction of Court concerned.