

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42709 of 2015

Arising Out of PS.Case No. -302 Year- 2015 Thana -PATORI District- SAMASTIPUR

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Birju Rajak S/o Late Dinesh Rajak Resident of Village/Mohalla - Bhua,
Post Office - Shahpur Patory, Police Station - Shahpur Patory, District
Samastipur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Chandra

For the Opposite Party : Mr. Sanjay Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 26.07.2015 in
a case instituted under Sections 457, 376, 511, 302 and 34 of the
Indian Penal Code.

As per prosecution case, it is a case of attempt of rape
upon the informant as also theft of golden chain and a mobile of
the informant by the accused persons.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 26.07.2015. Chargesheet has
been submitted in the case. There is no allegation of tampering of
evidence against the petitioner. Petitioner has got no criminal
antecedent. Petitioner has falsely been implicated in the present

case due to local politics. The allegations do no find support from para-7 of the case diary regarding breaking of the door of the house for committing the alleged offence as stated in FIR. It is further submitted that the petitioner may be released after completion of seven months in custody from 26.07.2015.

Considering the aforesaid facts and circumstances, it is directed that the petitioner be released after completion of seven months in custody from 26.07.2015 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction learned CJM, Samastipur, in connection with Patory P.S.Case No.302 of 2015.

(Sudhir Singh, J)

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