

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45038 of 2014**

Arising Out of PS.Case No. -67 Year- 2014 Thana -NTPC KHAIRA District- AURANGABAD

=====

Dharmendra Singh @ Bitemar Singh @ Bitemer Singh, S/o Late Gajju Singh, resident of village- Gamharia, P.S.- N.T.P.C., Khaira, District- Aurangabad

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Krishna Prasad Singh, Sr.Adv.  
Mr. Rakesh Singh

For the Opposite Party/s : Mr. Ram Chandra Sahni, Addl.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA**  
**ORAL ORDER**

2      04-02-2015      Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Sections 376/511 and some other allied offences of the Indian Penal Code.

Taking into consideration the fact that the actual offence of rape has not been committed and only an attempt has been made by the petitioner, who is in judicial custody since 20.07.2014, his prayer for bail is allowed. The petitioner above named is directed to be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with N.T.P.C. Khaira P.S.Case No.67 of 2014, subject to the conditions that:

(A) One of the bailors must be government servant or close family members of the petitioner, who will file an affidavit in the court below showing his/her relationship with the petitioner,

(B) if the petitioner is found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioner, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;

(C) the petitioner shall make regular pairvi in the court below in the present case either by appearing himself in person or through representation by his lawyer on each and every date, and if on two consecutive dates petitioner fails to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Prasad Verma, J)**

Arvind/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|