

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48212 of 2014

Arising Out of PS.Case No. -281 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

1. Nathuni Ansari Son of Jainul Ansari resident of village- Boari Dih,
Gaighat, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 03-03-2015

Heard Counsel for the petitioner and the State.

Petitioner was made accused under Section 376/511
of the Indian Penal Code. It is, however, stated that charge-sheet
has been made under Section 354 IPC.

The victim is a girl aged about 22 years. The
petitioner on finding her alone made an attempt to commit rape on
her. On hulla, the witnesses arrived which prevented her from
being subjected to rape.

Contention of the petitioner is that due to a dispute
over illegal/forceful use of land, a protest was made. Enraged
thereby, the present case has been lodged. The charge-sheet has
been filed under Section 354 IPC. The petitioner is in custody
since 3.9.2014.

Learned APP, on the other hand, submits that the manner in which the petitioner made attempt to commit rape on her is manifest from bare reading of the F.I.R.

Taking into consideration the submission of the parties and the facts revealing from the record, this Court, for the present, is not inclined to release the petitioner on bail.

Prayer is, accordingly, refused. The petitioner, however, is granted liberty to renew prayer for bail after six months from the date of receipt/communication of this order in the Court below if no substantial progress in the case is made in the meanwhile.

Pankaj/-

(Kishore Kumar Mandal, J)

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