

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51500 of 2014

Arising Out of PS.Case No. -4 Year- 2014 Thana -MAHILA PS District- JEHANABAD

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1. Rajeev Sharma (Pramukh) Son of Raj Ballabh Sharma Resident of
village - Chauri, P.S. Ghosi, District - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Zainul Abedin(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 03-03-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 376 (2) (g), 323, 506 and 34 of the I.P.C

It is submitted that in this case after completing
investigation the Police submitted charge sheet under sections 354
(A) (ii) and 354 (D) (ii) IPC and accordingly the petitioner was
granted police bail, but the learned court below differing with the
charge sheet took cognizance under section 376 (2) (g) of the
I.P.C. and then the petitioner filed again Cr. Misc. No. 45697 of
2014 which was also disposed of and earlier also prayer for pre-
arrest bail was dismissed as withdrawn as the petitioner was
granted police bail. It is also submitted that during trial the victim

has been examined and she has not identified the petitioner and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 02.12.2014.

The learned A.P.P. fairly submits that in this case charge sheet has been submitted under sections 354 (A) (ii) and 354 (D) (ii) of the I.P.C.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Jehanabad in Jehanabad Mahila P.S. Case No. 04 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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