

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47476 of 2015

Arising Out of PS. Case No. -335 Year- 2015 Thana -KATIHAR District- KATIHAR

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Md. Lal Babu Sah Son of Md. Jalil Sah @ Md. Jalil, resident of village -
New Amirabad, Tiya para, Dighi, P.S. Katihar Nagar (Katihar Town),
District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 376/511/385 of the Indian Penal Code
registered in connection with Katihar Nagar (Katihar Town) P.S.
Case No. 335 of 2015.

3. It is submitted that the petitioner has been falsely
implicated on the basis of the vague accusation without
description of any specific overt act on his part. Accusation of
attempt of committing rape on the informant in presence of her
mother is inherently improbable.

4. Having regard to the entirety of the facts and
circumstances of the case, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of

communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Nagar (Katihar Town) P.S. Case No. 335 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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