

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45410 of 2014

Arising Out of PS.Case No. -267 Year- 2014 Thana -BARBIGHA District- SEKHPURA

=====

Pramod Choudhary, Son of Bharat Choudhary, resident of village- Kewati,
Police Station- Barbigha (Kewati O.P.), District- Sheikhpura.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Mani Bhushan Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

4 13-03-2015 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks bail in Barbigha P.S. Case No.267
of 2014 registered for the offence punishable under Sections 376/511
of the Indian Penal Code and Sections 4/5/6 of POSCO Act.

The allegation against the petitioner is to have tried to
commit rape of the prosecutorix by untying her lower garments.

It is submitted that no case of attempt to commit rape is
made out against the petitioner and no independent witness has
supported the prosecution case and the petitioner has been falsely
implicated in this case due to land dispute. The petitioner has no
criminal antecedent.

The learned counsel for the State submits that it was the
midnight and no independent witness can be presumed to be available

at that time. The prosecutorix as well as other witnesses have supported the prosecution case. After investigation, the case has been found true and the charge sheet has already been submitted.

Considering the facts and circumstances of the case, in my opinion, the petitioner does not deserve bail. His prayer is rejected.

Let the trial be expedited.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

U		T	
---	--	---	--