

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26946 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -ROSHANGAANJ District-
GAYA

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Md. Rayaz, Son of Late Sultan Mian, Resident of Village + P.S.
Raushanganj, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Veer, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

2 24-06-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 376/504 of IPC.

Learned counsel for the petitioner submits that five
witnesses including the prosecutrix (P.W. 3) has been examined
but none of the witnesses has supported the prosecution case. The
medical report also does not support the prosecution case. The
prosecutrix has been examined as P.W. 3, but she has not made
any allegation against the petitioner and she has been declared
hostile. There is no chance of conviction of the petitioner. The
petitioner has been in custody since 9.8.2014 without any
justification.

Learned counsel for the State could not controvert the contention of the petitioner while opposing his prayer for bail.

Considering the facts and circumstances, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Gaya /court concerned in S. Trial No. 11 of 2015 arising out of Roshanganj P. S. Case No. 58 of 2014 with following conditions:-

1. The petitioner will not indulge himself in similar or any other offence.
2. One of the bailors must be the close relative of the petitioner.
3. The petitioner will be well represented in the Court on each and every date and in case of absence for two consecutive dates or in case of violation of terms of bail, his bail bond would be liable to be cancelled by the learned Court concerned.

(Amaresh Kumar Lal, J)

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