

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49107 of 2014

Arising Out of PS.Case No. -45 Year- 2014 Thana -MAHILA P.S. District- SIWAN

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Ram Kumar Prasad @ Ram Pukar Prasad Son of Ramashish Prasad R/o
Village - Pachpakariya Tulsi (Dube Tola), P.S. - G.B. Nagar, District -
Siwan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s :

For the Opposite Party/s :

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL ORDER

2 20-02-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Mahila P.S. Case No. 45
of 2014 dated 08.03.2014 instituted under Sections 447/376/511
of the Indian Penal Code.

Learned counsel for the petitioner submits that
though the allegation against the petitioner is attempt to commit
rape but the same is false and in the background of the fact that for
the same incident earlier Gorla Kothi G. B. Nagar P.S. Case No.
11 of 2014 dated 13.01.2014 under Sections 341/323/325/504/509
was instituted in which there was no allegation of any attempt to

commit rape and when the petitioner upon surrender had been granted bail by the court below, the present complaint has been filed which has been converted into Mahila P.S. Case No. 45 of 2014 in which it is admitted that earlier the case had not disclosed the true fact and the accused had got bail and that is why the second case has been filed. Learned counsel submits that besides the two cases, he has no other criminal antecedent and is in custody since 11.09.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Siwan in Mahila P.S. Case No. 45 of 2014. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to do so on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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