

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45136 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -KOTWALI District- PATNA

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1. Sanjay Kumar @ Sanjay Yadav son of Late Parmeshwar Yadav resident of Village- Wazirganj, P.S.- Parasbigha, Dist- Jahanabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 23-02-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under sections 376/ 511 of the I.P.C

Allegedly, the petitioner and co-accused were making an attempt to commit rape with the deaf and dumb lady inside the bus but after hearing the cry the informant got opened the door and with the help of the local people caught the petitioner and the co-accused.

Submission is of false implication and that no such occurrence, as alleged, has taken place, as alleged only molestation was made which attracts section 354 of the I.P.C. and not sections 376 / 511 of the I.P.C., the petitioner is

suffering in custody since 11.02.2015 and in near future the trial is not likely to be concluded.

The learned A.P.P. fairly submits that now considering detention of the petitioner lenient view can be taken.

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. Patna in Kotwali P.S. Case No. 84 of 2015, 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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