

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19748 of 2016

Arising Out of PS.Case No. -56 Year- 2015 Thana -DEORIYA District- MUZAFFARPUR

1. Md. Mainuddin Sai @ Md. Mainuddin @ Mainuddin Sai S/o Yasin Sai
resident of village - Dumari Permanandpur, P.S. Deoriya, District -
Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Opposite Party/s : Mr. S.M.Rahman(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 22-06-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Deoriya P.S. Case No. 56/2015, disclosing offences under Sections 376, 511 of the Indian Penal Code and Section 8/18 of the POSCO Act.

The allegation against the petitioner is that he has attempted to commit rape on the informant.

Learned counsel for the petitioner has submitted that the petitioner has been implicated because of land dispute between the family of the petitioner and the informant's family. It has also been submitted that the allegation in the First Information Report does not substantiate the offence of rape. It is evident that the

informant herself did not raise any alarm immediately after the accused persons entered into the bush.

Considering the submissions as above, this application is allowed. Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Special Judge POCSO (ADJ-I), Muzaffarpur in Deoriya P. S. Case No. 56 of 2015 (G.R. No. 56 of 2012) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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