

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37236 of 2016**

Arising Out of PS.Case No. -137 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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Sarmendra Chaubey @ Sarvendra Chaubey, Son of Late Hira Chaubey @  
Late Hiranand Choubey, R/o Village- Bhopatpur @ Bhupatpur, P.S.-  
Kuchaikote, District- Gopalganj.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ranjeet Kumar Pandey

For the Opposite Party : Mr. Mithilesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      27-10-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks bail in a case instituted under  
Sections 376, 511, 354(B) and 307 of the Indian Penal Code.

The allegation against the petitioner is of attempting to  
commit rape on the informant and when the daughter of the  
informant raised alarm, the petitioner assaulted with knife on the  
head of the informant and thereafter he fled away.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 27.06.2016. The charge sheet has  
been submitted in the present case. The petitioner has got no  
criminal antecedent. There is no allegation of tampering of  
witnesses alleged against the petitioner. The petitioner happened

to be the gotia of the informant. There is admitted property dispute between the parties. The complaint is said to have been filed after 9 days of the alleged occurrence. The other co-accused has been granted anticipatory bail vide Cr. Misc. No. 38502 of 2016. The injury report do not support the allegations made in the F.I.R.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No. 137 of 2015.

**(Sudhir Singh, J.)**

Amit/-

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