

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6027 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -RAFIGANJ District- AURANGABAD

1. Sushil Singh @ Putus @ Putus Singh S/o Rajendra Singh, resident of Village- Garva, P.S.- Rafiganj, District- Aurangabad..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 05-04-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Rafiganj P.S. Case No. 90 of 2015 registered for the offences punishable under Sections 341, 323, 452, 354, 376/511 of the Indian Penal Code.

Allegedly, the petitioner tried to commit rape with the informant and in that process torn the blouse and started assaulting with fist and slap and when Ritu Kumar the son of the informant came he was closed in the house and when the informant went there she was assaulted by other co-accused and then her son was released.

Submission is of false implication and that the manner of occurrence as alleged is not true version, during investigation independent witnesses namely, Rajesh Kumar, Sudhir Kumar and

Naga Paswan have stated that there was some altercation between the boys and for that this false case has been lodged and as such the petitioner deserves sympathetic consideration as he is suffering in custody since 24.11.2015 having no criminal antecedent.

Learned APP fairly submits that some of the witnesses have not supported the prosecution version.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of 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, Aurangabad in connection with Rafiganj P.S. Case No. 90 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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