

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55529 of 2015**

Arising Out of PS.Case No. -87 Year- 2014 Thana -BANGRA District- SAMASTIPUR

=====

Ram Lal Das, Son of Ram Khelawan Das, resident of Village – Kubauli  
Ram, P.S. – N.H. Bangra, District - Samastipur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. R.P.S.Singh (App)

=====

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      19-01-2016                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

Petitioner is languishing in jail custody since  
12.06.2015 in connection with N.H. Bangra P.S. Case No. 87 of  
2014 registered for the offences punishable under Sections 376,  
511 and 504 of the Indian Penal Code.

The prosecution case, as alleged by the victim, Mala  
Kumari, is that the grand-mother of the informant was sleeping at  
verandah, mother of the informant was sleeping in courtyard and  
the informant along with her brother was sleeping inside the room.  
At about 12:00 in the night, this petitioner came in the room of the  
informant and started touching her, then the informant awoke.  
Thereafter, petitioner fled away from there. Informant again slept.  
After sometime, this petitioner again came, caught hold of her and



opened the salwar and attempted to do some bad work. Informant raised alarm and called her grand-mother. Thereafter, this petitioner ran away from there and said to the informant not to say about the occurrence to anyone. While mother and grand-mother of the informant came, informant disclosed about the occurrence to them. Thereafter grand-mother and mother of the informant complained about the occurrence to the villagers, but the petitioner denied to have committed the occurrence, as alleged by the informant.

It has been submitted by the counsel for the petitioner that petitioner is cousin of the mother of the victim and maternal uncle of the informant. It has been further submitted that the petitioner is innocent and has been falsely implicated in the present case by the informant, as her grand-mother, Makko Devi is on inimical terms with the petitioner, who has also lodged another case against this petitioner and his family members, bearing C.R. Case No. 1595 of 2009.

Learned A.P.P. appearing on behalf of the State, however, submits that the victim (informant herself) alleged that this petitioner attempted to commit rape on her.

Be that as it may, since the petitioner, who is the own maternal uncle of the victim (informant), who is in custody since

12.06.2015 and no overt act is attributable to the petitioner, it is directed that the petitioner, namely, Ram Lal Das be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of 1<sup>st</sup> Additional District and Sessions Judge, Samastipur in connection with N.H. Bangra P.S. Case No. 87 of 2014.

**(Nilu Agrawal, J.)**

Arjun/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|