

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58319 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -KORHA District- KATIHAR

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1. Md. Faruk @ Md. Farook Son of Md. Mozammil @ Mozammil Resident
of Village- Tinpaniya, P.s Korha, District Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 01-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Korha P.S.
Case No. 171 of 2015 registered for the offences punishable under
Sections 376/511 of the Indian Penal Code in which Section
354(B) of the Indian Penal Code and Section 10 of POCSO Act
have been added subsequently.

This case has been registered on the basis of complaint
petition with allegation that the petitioner tried to commit rape
with Rukshana Khatoon aged 11 years the minor daughter of the
complainant/informant.

Submission is of false implication and that the
informant has lodged this case only with a view to save skin from
Korha P.S. Case No. 103 of 2015, however, now good sense has

been prevailed between the parties and compromise petition has been filed vide annexure-3 and as such the petitioner deserves sympathetic consideration.

Learned APP submits that the petitioner attempted to commit rape.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 Special Judge, Katihar in connection with Korha P.S. Case No. 171 of 2015 (G.R. No. 2634 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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