

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32768 of 2016

Arising Out of PS.Case No. -212 Year- 2016 Thana -MARHAURA District- SARAN

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1. Umesh Rai @ Govida Rai @ Govinda son of Ram Dayal Rai resident of
Village- Lerua, P.s.- Marhowrah, Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-09-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in a case registered under
Sections 450, 376, 511 of the Indian Penal Code and 53 of Bihar
Excise Amendment Act, 2016.

As per FIR, the informant, who is a widow was at her
home along with her children. On 10.5.2016 in the morning an
unknown person suddenly forcibly pushing opened the door of
her house in drunken condition entered in the house, threatened to
kill and tried to commit rape upon her on the point of dagger. The
informant raised alarm. Neighbours came and caught the accused
and assaulted him. Later on police came there and the accused
who asked his named as this petitioner was handed over to the
police.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 10.05.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The petitioner and the victim were live-in relationship but due to some petty dispute the present prosecution has been brought against him. It is further submitted the petitioner may be released after completion of six months in custody from 11.05.2016.

On behalf of the State, it has been submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioner, be released, after completion of six months in custody from 10.05.2016, on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran, Chapra, in connection with Marhowrah P.S. Case No.212 of 2016.

(Sudhir Singh, J)

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