

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7771 of 2016

Arising Out of PS.Case No. -132 Year- 2015 Thana -KARJA District- MUZAFFARPUR

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Suraj Kumar, s/o Late Sone lal Thakur, R/v Rmpur Luxmi, P.S. Kanti,
Distt. Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Anand

For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Karja P.S.
Case No. 132 of 2015 registered for the offences punishable under
Sections 448, 323, 376 and 511/34 of the Indian Penal Code.

The petitioner and other co-accused entered into the
house of the informant and the petitioner tried to commit rape with
her after closing in a room whereas, other co-accused was at the
gate and when she protested, she was assaulted with chain of cycle
and in the meantime, her mother came but the accused persons
fled away. The motive behind the occurrence is alleged due to
earlier land dispute.

Submission is of false implication and that during
investigation independent witnesses have not supported the

occurrence and they have stated that the mother of the informant was assaulting her, the petitioner without any fault is suffering in custody since 27.11.2015 and, as such he deserve sympathetic consideration to which the learned A.P.P. fairly submits that independent witnesses vide para 18, 19 and 20 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 Sri. Amit Kumar Tiwary, learned J.M. 1st Class, Muzaffarpur in connection with Karja P.S. Case No. 132 of 2015 subject to the conditions that one of the bailors must be 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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