

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28743 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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Sunil Kumar Son of Bakhori Das, Resident of Village- Murgiyachack,
Police Station- Ghoshi, District- Jehanabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Arun, Advocate.

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 31-08-2016 Heard learned counsel for the petitioner and learned counsel
for the State.

The petitioner is languishing in custody since 17.05.2016 in connection with Jehanabad Mahila P.S. Case No. 22 of 2016 registered for offences under Sections 323, 354, 376, 511, 457, 379 and 504/34 of the Indian Penal Code and 8 of the POSCO Act.

The prosecution story, in brief, is that on 15.05.2016 at 12.00 P.M while the informant was alone in her house, all of sudden five accused persons by breaking the wall entered into the house and started breaking the box as a result she made query, then the accused persons caught her and tried to commit rape but on hull the neighbours came and caught the accused persons in side the house but accused Sonu Kumar succeeded in fleeing away. Also in the next day morning, the accused persons came her

house and committed theft of Rs. 40,000/- , golden chain as also ear ring.

On behalf of the petitioner, it is submitted that the petitioner is in custody since 17.05.2016. Charge-sheet has been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The allegation made in the FIR is falsified from the fact that out of five accused, final form has been submitted against four of the accused person. As far as the petitioner is concerned, there was love affair between the petitioner and the victim which was not like by the parents of the victim. Hence the present case has been instituted with a false allegation.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st Jehanabad in connection with Jehanabad Mahila P. S Case No. 22 of 2016.

(Sudhir Singh, J)

Prakash/-

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