

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 39462 of 2016

Arising out of P.S. Case No. - 169 Year - 2016 Thana - SIKARPUR District - WESTCHAMPARAN (BETTIAH)

Satan Sharma, Son of Late Paras Sharma, Resident of Village - Badhanihar, P.S. - Shikarpur, District - West Champaran

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the State : Mr. Binod Kumar No. III, A.P.P.

For the Informant : Mr. Aditya Nath Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-09-2016

Heard learned counsel for the petitioner, counsel for the State and the informant.

Petitioner seeks bail in connection with Sessions Trial No. 418 of 2016 arising out of Shikarpur P.S. Case No. 169 of 2016 registered for the offences punishable under Section 376 of the Indian Penal Code.

As per the allegation, the petitioner has entered into the house at 01:00 a.m. in the mid-night and committed sexual assault on the body of the informant by tiding her hands and mouth.

The counsel for the petitioner submits that the story has been cooked-up and appears to be unnatural. It is further submitted that the informant has been set up by Devendra Rai

against whom the brother of the petitioner has lodged Complaint Case No. 1199-C of 2015.

Counsel for the informant submits that allegation has been made in so clear terms that it attributes the nature of act committed by the petitioner and so much so that while he was fleeing away from there the witnesses identified him in the mid-night.

It is very difficult to understand that witnesses were there, in the mid-night, identified the petitioner while he was fleeing away.

Looking into the entire facts and circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, West Champaran at Bettiah in connection with Sessions Trial No. 418 of 2016 arising out of Shikarpur P.S. Case No. 169 of 2016.

(Shivaji Pandey, J.)

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