

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44885 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

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1. Sanjay Das Son of Late Chulhai Das, Resident of Village + P.O.-
Indrawara, P.S.- Tajpur (Halai) District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey(App)

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

ORAL ORDER

5 01-03-2016

Supplementary affidavit has been filed disclosing that

the petitioner has got one case also vide Tajpur Halai P.S. Case
No. 292 of 2005 under section 376 I.P.C. Keep it on the record.

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 323, 376/511 and 504 of the I.P.C

Allegedly, the petitioner attempted to commit rape
with the informant after opening her Salwar, but the parents of the
informant came and then the petitioner fled away.

Submission is of false implication and that earlier the
sister of the informant has filed case against the petitioner wherein
the petitioner is on bail and thereafter the informant filed this false
case resulting he is suffering in custody since 21.06.2015, during
investigation the independent witnesses have stated that due to the

land dispute this false case has been lodged vide paragraphs- 20, 21, 22 and 23 of the case diary and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the charge sheet has already been submitted against the petitioner under sections 376/511 and other allied sections of the I.P.C.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 Additional Sessions Judge 4th, Samastipur in S.T. No. 440 of 2015 arising out of Tajpur (Halai) P.S. Case No. 122 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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