

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52524 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -MAHILA PS District- KATIHAR

Sanjay Jaiswal, Son of Sagar Bhagat, resident of village - Jansi Tolla,
Purani Bazar, Kursala, Post office - Kursala, Police Station Kursala,
District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sandeep Patil, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 25.08.2016 in connection with Mahila P.S. Case No. 72 of 2016 for the offences alleged under Sections 376 and 313 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated and the accusations against the petitioner who happens to be the *dewar* of the informant are highly improbable, considering that the informant is a married lady with two children. It is further submitted that in any event the ingredients of the offence are not made out against the petitioner and there is no medical report to substantiate the allegations under Section 376 or Section 313 of the Indian Penal Code. The petitioner claims clean antecedents.



4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Mahila P.S. Case No. 72 of 2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure to do so on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/BT

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