

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49190 of 2015

Arising Out of PS.Case No. -297 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Tapeshar Sah Son of Late Babulal Sah Resident of village - Nariyarwa,
P.S. Turkoliya, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

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

ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Turkoliya
P.S. Case No. 297 of 2015 registered for the offences punishable
under Sections 376 and 511 of the Indian Penal Code.

Allegedly, the petitioner after entering into the house
of the informant tried to commit rape with the informant but due
to alarm being raised, nearby person assembled and the petitioner
was caught and he received some injuries also.

Submission is of false implication and that Lalita Devi,
the mother of the informant has remarried with the petitioner
which was not liked by the informant then she filed this false case,

the petitioner is suffering in custody since 14.04.2015 without any fault. Chargesheet has been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. fairly submits that now considering the detention of the petitioner, lenient view can be taken.

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 the Learned Judicial Magistrate-1st Class, Sadar Motihari, East Champaran arising out of Turkoliya P.S. Case No. 297 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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