

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22672 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Satish Kumar Son of Sheo Pujan Sah Resident of Village- Anandiganj,
PS Palanava, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. M. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

5 07-09-2016 Heard Mr. Verma for the petitioner and Mr.

M.Dayal APP for the State.

The petitioner is accused of Mahila P.S. case no. 31
of 2015, registered under Sections 341,342,506,323, 354-A, 354-
B, 354-D and 376/511/34 IPC.

The allegation is that finding the informant alone in
the house, he made attempt to outrage her modesty. His prayer
for bail was earlier rejected by this Court vide order dated
16.12.2015 (Annexure 1/1) granting him, however, liberty to
renew prayer for bail after five months, if the trial does not record
sufficient progress. In the light of the said liberty, the present
application for bail is filed.



It is submitted that both the parties are locked in serious family dispute inasmuch as the brother of the petitioner had lodged a matrimonial case against the informant whereas the informant has also lodged a criminal case relating to matrimonial discord/atrocity against the husband. The petitioner continues to incarcerate since 16.09.2015. If granted the privilege of bail, he undertakes not to repeat any such occurrence.

A status report was called which is available on record. From perusal whereof, it appears that recently on 28.06.2016 charges have been framed whereafter no prosecution witness has been examined.

Considering the facts and circumstances of the case, I direct the petitioner, above named, 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 learned Judicial Magistrate, 1st Class, Raxaul at Motihari, East Champaran, in connection with Mahila P.S. case no. 31 of 2015, with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) The petitioner shall continue to appear in person

before the trial on the date(s) fixed at the trial. In case of default in doing so on two consecutive dates the trial court shall have liberty to cancel the bail bond and secure his arrest in accordance with law.

- (iii) During the subsistency of the privilege of bail if the petitioner is found involved in any other criminal case, the same shall be deemed as breach entailing its cancellation.

(Kishore Kumar Mandal, J)

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