

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14481 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -ALAMNAGAR District- MADHEPURA

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1. Virendra Sharma, S/o Late Ramdeo Sharma, resident of village -
Chuabara Itahari, P.S. Alamnagar, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Alamnagar P.S.Case No.03 of 2017, registered for offences punishable under Sections 376 (D) of the Indian Penal Code.

The petitioner is not named in the F.I.R. The allegation against him is that on his order, two other co-accused persons committed rape of the informant.

It is submitted on behalf of the petitioner that due to land dispute, the present case has been lodged against him and the informant is aunt in relation of the petitioner. Due to the aforesaid reasons, this case has been lodged. The petitioner is in custody for about three months and there is no allegation of commission of rape upon the informant by him.



Heard learned A.P.P. also.

Having heard both sides and in view of the fact the allegation of rape is not against the petitioner and he is in custody for about three months, as such let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Udakishunganj, District- Madhepura in connection with Alamnagar P.S.Case No.3 of 2017.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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