

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26000 of 2017

Arising Out of PS.Case No. -13300 Year- 2014 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

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Umesh Das Son of Rajo Das, Resident of Village-Fateha P.S. Bachhwara,
District-Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sushila Devi Wife of Dular Das, Resident of Village-Fateha P.S.
Bachhwara, District-Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner, who is in judicial custody since
03.04.2017, seeks bail in connection with Complaint Case
No. 13300 C of 2014 registered for the offence punishable
under Sections 323, 341, 354, 504 and 379 of the Indian
Penal Code.

The complaint case, as lodged by the
complainant is that the petitioner along with others entered
inside the house of the informant and made an attempt to
commit rape and outraged her modesty and when the



informant raised alarm, petitioner escaped away.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case due to land dispute and B.L.D.R. Case No. 1 of 2014-15 pending before the D.C.L.R., Teghra, Begusarai is going on between the parties and that the petitioner had also lodged a First Information Report against the complainant and her family members, bearing Bachhwara P.S. Case No. 152 of 2014 for the offence alleged under Section 379 and other allied sections of the Indian Penal Code. He submits that the present case is concocted and afterthought and that no overt act has been alleged to have been committed by the petitioner and considering the period of custody, a sympathetic view may be taken.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Nitin Kaushik, learned



Additional Chief Judicial Magistrate, Teghra, Begusarai in
connection with Complaint Case No. 13300 C of 2014.

(Nilu Agrawal, J.)

Arjun/-

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