

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41744 of 2017

Arising Out of PS.Case No. -84 Year- 2015 Thana -BAUSI District- PURNIA

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Manik Lal Sharma Son of Panna Lal Sharma, R/o Village- Fulbhasa, P.S.-
Baisi, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ziaul Quamar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
24.04.2017 in connection with Baisi P.S. Case No. 84 of 2015
for offences punishable under Sections 376/511 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that while she had gone for treatment of her four year old son
to the doctor and when she was returning the petitioner
forcefully took her and tried to commit rape but her husband
and other villagers came and rescued her.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated because of being inimical terms with the informant side. He submits that no overt act has been committed by the petitioner and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge 2nd Purnea in connection with Baisi P.S. Case No.84 of 2015, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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