

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36272 of 2017

Arising Out of PS. Case No.-157 Year-2017 Thana- TURKAULIYA District- East
Champaran

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Bir Bahadur Paswan, son of Birchand Paswan resident of Village - Khairi,
P.S. - Banjaria, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Chandrasen Prasad Singh, A.P.P.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under Sections 341, 323, 448, 376, 511 of the Indian Penal Code and Section 37 (b) of Bihar Excise Amendment Act, 2016.

It is contended that, as per allegation, the petitioner, who was in drunken condition, tried to commit rape upon the informant. It is contended that it is case of false implication in view of the fact that informant's husband had taken loan of Rs.50,000/- from the petitioner and had denied to return the same and on the alleged date of occurrence, both the parties intervened in quarrel. It is, thus, contended that rape has not been committed and only false allegation of trying to commit



rape has been levelled against the petitioner. Charge sheet has already been submitted. It is urged that the petitioner is in custody since 25.03.2017. It is claimed that his antecedent is clean.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 157 of 2017 with a condition that if the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

V.K.Pandey/-

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