

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44255 of 2017

Arising Out of PS.Case No. -272 Year- 2017 Thana -BODHGAYA District- GAYA

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Ehsan Akhtar Son of Mokhtar Khan, R/o Village- Kulauna, P.S.- Gurua,
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 15-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bodh-Gaya
(Cherki) P.S. Case No. 272 of 2017 for offences punishable under
Sections 448, 341, 323, 376, 511, 427, 506/34 of the Indian Penal
Code.

The prosecution case, as lodged by the informant who
is Angan Bari Sevika, is that while she was sitting in her office,
the petitioner along with two others came and started abusing her,
assaulting her and petitioner tried to outrage her modesty.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the



aforesaid case by the informant and in other cases also and there are large number of cases pending between them. It is further submitted that charge-sheet has already been submitted and the petitioner is languishing in judicial custody since 14.07.2017. He submits that charge-sheet has been submitted under Section 354 I.P.C. and F.I.R. has been lodged after 35 days and no plausible explanation has been given for such delay.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and is a habitual offender.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of five months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh-Gaya (Cherki) P.S. Case No. 272 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating their relationship with the petitioner.
- (2) Petitioner will appear before the learned court below



during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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