

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5442 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -BACHWARA District- BEGUSARAI

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Manoj Rai @ Manoj Roy, Son of Munarik Ray @ Munarik Rai, Resident
of Village- Chamtha Number, Police Station- Bachhwara, District-
Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rai Mukesh Sharma

For the Opposite Party/s : Mr. Panchanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 02-03-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Bachhwara P.S. Case No. 171 of 2016 for the offences
instituted under Sections 341 and 376/511 of the Indian Penal
Code.

The allegation against the petitioner of attempting to
commit rape upon the Complainant while she was returning from
the field of one Pramod Rai, after labour work.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The



alleged date of occurrence is 20.11.2016. The case has been instituted on 24.11.2016. The delay has not been explained by the prosecution. As per the F.I.R., Sharwan Rai and Bijay Rai are the eyewitnesses to the alleged occurrence. Their statements have not been recorded in the case diary to verify the allegations made by the informant. There is land dispute also between the parties.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today, in connection with Bachhwara P.S. Case No. 171 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Begusarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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