

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55766 of 2016

Arising Out of PS.Case No. -700 Year- 2014 Thana -BIHTA District- PATNA

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Shailesh Kumar @ Shailesh Singh, Son of Harihar Singh, resident of
Village- Molahimpur, P.S.- Bihta, District- Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Niraj Kumar, Advocate

For the Opposite Party : Mr. Smt. Rita Verma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bihta P.S
Case No. 700 of 2014 registered for the offences punishable under
Sections 376, 379, 511 of the Indian Penal Code.

Allegedly, the petitioner tried to commit rape with
the informant when she was cutting grass in the field, but after
hearing the cry Nandlal Prasad Sing @ Nanhe Yadav came and
saved her thereafter some of the supporters of the petitioners came
and assaulted Nandlal Prasad Singh and snatched his mobile and
gold chain.

Submission is of false implication and due to
panchayat election, at the instance of Nandlal Prasad Singh as a



matter of fact, the informant was cutting branch of tree which was opposed by the petitioner and, as such, the petitioner has been implicated. The petitioner is suffering in custody since 05.10.2016. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the custody of the petitioner and further that there is no chance of tampering with the prosecution evidence, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Danapur, District- Patna, in connection with Bihta P.S. Case No. 700 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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