

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40641 of 2017

Arising Out of PS. Case No.-65 Year-2017 Thana- PURAINI District- Madhepura

Md. Azad Son of Late Md. Nausar, R/o Village- Chanda, Jumrali Tola-Ward
No. 17, P.S.- Puraini, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 18-09-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Puraini P.S.
Case No. 65 of 2017 registered for the offence punishable under
Sections 354B and 379 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that petitioner forcibly entered in her house and tried to commit
rape and snatched her gold chain and Rs. 1500/-, thus, putting
her at loss of Rs. Rs. 5,500/-.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has been falsely implicated in the aforesaid case. He submits
that no overt act has been alleged to have been committed by
him and petitioner is languishing in judicial custody since



20.06.2017. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Udakishunganj (Madhepura) in connection with Puraini P.S. Case No. 65 of 2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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