

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36083 of 2017

Arising Out of PS.Case No. -93 Year- 2017 Thana -AKBARPUR District- NAWADA

=====

1. Jatan Ram @ Jatan Kumar Son of Lalkeshwar Ram, Resident of Village/
Mohalla-Hasanpura, Police Station-Akbarpur, District-Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Shailendra Kumar -2

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 02-11-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

Petitioner seeks bail in connection with Akbarpur P.S.
Case No. 93/2017 for offences punishable under Sections 147,
341, 323, 448, 376, 511, 427, 379, 337 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while her husband was doing private job in Madras and she
stayed with her in-laws, the petitioner, who is her neighbour, on
the alleged date, entered her house and tried to commit rape on
her, but on hulla he fled away. The next day, when her father-in-
law disclosed the incident to the villagers, the petitioner along
with all the family members including his father damaged the
house and took away the gold chain from her sister-in-law's neck.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that few days back the father of the petitioner had lodged a case against the husband and the family members of the informant being Nagar Nawada P.S. Case No. 293/2017 and the present case is a counter-blast to the said case. He further submits that no overt act has been committed, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that petitioner is languishing in judicial custody since 15.05.2017.

However, learned counsel appearing for the informant and learned APP for the State vehemently oppose the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail 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, Nawada, in connection with Akbarpur P.S. Case No. 93/2017, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who



will file an affidavit stating their relationship with the petitioner.

- (ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

