

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40923 of 2017

Arising Out of PS.Case No. -136 Year- 2017 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Md. Sadam, son of Atim Miya, resident of Village-Ramdiha P.S.-Chakia,
District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-09-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Chakia
P.S. Case No. 136 of 2017 registered for the offences punishable
under Sections 376, 511 and 452 of the Indian Penal Code.

Allegation against the petitioner is of attempting to
commit rape upon the informant.

Submission of learned counsel for the petitioner is that
petitioner has falsely been implicated in this case as there was
property dispute between the parties and no case is made out either
under Section 376 or 376/511 IPC against the petitioner. Further
submission is the petitioner is in custody for more than three
months having no criminal antecedent.

Heard learned APP also, who has opposed the prayer for
bail stating that there is allegation against the petitioner of



committing rape.

Having heard both sides and in view of facts and circumstances, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-XIII, East Champaran, Motihari, in connection with Chakia P.S. Case No. 136 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Petitioner will co-operate in trial and appear in court on each and every date fixed in the case and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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