

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54459 of 2016

Arising Out of PS.Case No. -148 Year- 2016 Thana -GAYGHAT District- MUZAFFARPUR

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Bharat Rai S/o Kedar Rai R/o Village- Khajuri @ Khajurbani, P.S.-
Gayghat, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Ms. Veena Rani Pd. (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 12-01-2017 Heard both sides.

The petitioner seeks bail in Gayghat P.S. Case No. 148/16 registered under Sections 376, 511 and other sections of the Indian Penal Code.

The prosecutrix made allegation that the petitioner entered into her house in the dead of night and made an abortive attempt to commit rape with her. Learned counsel for the petitioner submits that prior to lodging of this case, Pawan Kumari, daughter of Ram Pukar Rai, filed Gayghat P.S. Case No. 7/2012 on 08.01.2012. The police, after investigation, submitted final form finding the case false against the petitioner. Pawan Kumari is the daughter of Ram Pukar Rai and Ram Babu Rai, the husband of the prosecutrix, is the own brother of Ram Pukar Rai and, that is why, this false case has been lodged against the



petitioner. The police have already submitted chargesheet under Section 376 and 511 of the Indian Penal Code. The petitioner is in jail since 14.10.2016.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that the petitioner has already remained in jail for about three months, the above named petitioner is directed to 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 Sri Suvash Kumar Roy, Judicial Magistrate, 1st Class, Muzaffarpur in Gayghat P.S. Case No. 148 of 2016.

(Prabhat Kumar Jha, J)

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