

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3037 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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Chandan Singh, S/o-Kusho Singh, Resident of Village-Khanjhapur, P.S.-
Cheriyabariyar Pur, District-Begusarai

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shubhesh Pandey

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Cheriabariyarpur P.S. Case No. 73 of 2017, registered for the offences punishable under Sections 448, 341, 323, 376/511, 379, 506 of the Indian Penal Code and 3(i)(x)(xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 11.9.2017 passed by Special Judge, SC/ST Act, Begusarai.

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

Submission of learned counsel for the appellant is that as a matter of fact there was dispute between the parties with respect to fare of bus and, as such, he has falsely been implicated in this case and even there is nothing available on record to show that he has attempted to commit rape and at best it is a case under Section 511 IPC. Further submission is that he is in custody for more than two months having no criminal antecedent.



Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances, this appeal is allowed and the impugned order is set aside.

Let the appellant, 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 Special Judge, SC/ST Act, Begusarai, in connection with Cheriabariyarpur P.S.Case No. 73 of 2017, subject to the conditions as follows :

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

(Vinod Kumar Sinha, J)

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