

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7197 of 2017

Arising Out of PS.Case No. -27 Year- 2007 Thana -KUNALI District- SUPAUL

=====

Dindayal Sah, Son of Late Shambhu Sah, Resident of village - Lalmanpatti,
P.S. Kunauli, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Mr. Sri Satya Nand Shukla, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-03-2017 Heard learned counsel for the petitioner and the State.

Petitioner is languishing in judicial custody since 19.09.2016 in connection with Kunouli (Dagmara) P.S. Case No. 27 of 2007 for offence alleged under Sections 457, 354, 502,341,323/34 of the Indian Penal Code.

The prosecution case as narrated by the informant is that one Din Dayal Sah entered in his house and molested his 16 year old daughter who was sleeping in a room along with his younger son and forced her to cohabit with him and when she did not become ready, accused Dindayal Sah assaulted her with fists and slaps and when his daughter raised hulla the accused petitioner fled away from there. It is further alleged that his another daughter Mina came in court-yard and saw accused Mahendra Ram standing there and on hulla both accused fled away towards west.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the



aforesaid case due to village politics. He further submits that no overt act has been committed and at best it was a case of trespass against the petitioner and he undertakes to cooperate with the trial. He further submits that a compromise has been arrived between the parties and charge sheet has already been submitted. Hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P submits that the petitioner was fully aware of this case and was named in the FIR and was an absconder, hence opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and from materials available on record, let the petitioner, above named, 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 Sub-Divisional Judicial Magistrate, Birpur (Supaul) in connection with Kunouli (Dagmara) P.S. Case No. 27 of 2007 subject to the condition that he will appear before the police/Court on each and every date and failure on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Prakash/-

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

