

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27483 of 2017

Arising Out of PS.Case No. -17 Year- 2016 Thana -BHABHUA RAIL P.S. District- BHABHUA
(KAIMUR)

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Rajesh Sharma @ Rajesh Kumar Sharma, Son of Bilat Sharma, resident of
Village: Ghataw, P.S: Kudra District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
01.08.2016 in connection with Sessions Trial No. 475 of 2016/
589 of 2016 arising out of Sasaram Junction Rail (Bhabua) P.S.
Case No. 17 of 2016 registered for the offence punishable under
Section 376 of the Indian Penal Code.

The prosecution case, as lodged by the informant aged
about 64 years, is that while she descended one train and was
seated in an empty bogie, petitioner forcibly took her and tried to
forcibly put his fingers on her private part.

It has been submitted by the learned counsel for the



petitioner that he is innocent, no such offence has been committed by the petitioner earlier, witnesses are hearsay and it is only on the basis of suspicion that the petitioner has been made accused. He further submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the witnesses have stated that the petitioner was a person of doubtful character and four cases under Section 3 of the R.P.U.P. Act are pending against him, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials 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 Additional Sessions Judge-IV, Kaimur at Bhabua in connection with Sessions Trial No. 475 of 2016/ 589 of 2016 arising out of Sasaram Junction Rail (Bhabua) P.S. Case No. 17 of 2016, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned P.S./ Court, who would file an affidavit stating his relationship with the



petitioner and that petitioner will appear before the learned Court below on each and every date and failure to appear before the learned Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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