

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34075 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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Shambhu Rai, son of Late Ganga Sagar Rai, resident of village Bhiraha
West, P.S. Rosera, District Samastipur. Petitioner.

Versus

The State of Bihar Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

02 20-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks regular bail in connection with
Rosera P.S. Case No.80 of 2017 registered for the alleged offences
under Sections 341, 323, 376, 511 and 506 of the Indian Penal
Code.

As per the prosecution case, petitioner is said to have
tried to outrage the modesty of the informant and hold her breast
while she stepped out of her house for defecation.

It has been submitted by learned counsel for the
petitioner that the informant happens to be own aunt of the
petitioner and both are living in the same house. There is a wash
room in the said house so there is no question of stepping out of
the house for defecation in the field. As a matter of fact, the



petitioner has been falsely implicated in this case due to land dispute between the parties. The informant with the connivance of the local police has filed this false case because earlier the petitioner had filed a case against the local police. He has been languishing in jail custody since 16.04.2017.

In the facts and circumstances of the case, the petitioner above named is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera in connection with Rosera P.S. Case No.80 of 2017.

(Prakash Chandra Jaiswal, J.)

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