

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31423 of 2018

Arising Out of PS.Case No. -141 Year- 2017 Thana -JAMOBABAZAR District- SIWAN

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Ezaz Ahmed @ Aiyaz Ahmed @ Motu S/o Late Nazir Ahmed, R/o Vill.-
Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

For the Informant : Mr. Rakesh Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner, learned counsel
for the Informant as well as learned APP for the State.

The petitioner is in custody in connection with Jamo Bazar P.S.Case No.141 of 2017 registered for an offence under Sections 448, 376, 511, 504, 506 and 323 of the IPC.

The informant of this case is victim. She has alleged that in the night of 30.09.2017 this petitioner entered into her house and caught her hand and attempted to commit rape. On the alarm of the informant, her brother reached and thereafter this petitioner escaped from the place of occurrence. In this regard a Panchayati was convened but the petitioner did not turn up and thereafter she lodged this case on 20.10.2017.

It has been submitted that the present case has been



lodged after a delay of 20 days without any explanation. The occurrence allegedly took place on 30.09.2017 but the FIR was lodged on 20.10.2017. The petitioner is in custody since 09.04.2018 having clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of ACJM-XIII, Siwan in connection with Jamo Bazar P.S.Case No.141 of 2017 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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