

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37625 of 2018

Arising Out of PS.Case No. -101 Year- 2016 Thana -KHAJEKALA District- PATNA

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Md. Khalid S/o Sahbuuddi @ Sahabuddin, R/o Danka Kuan, P.S.-
Khajekala, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Parmanand Kumar, APP-244

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 376 and 511 of the Indian
Penal Code and Section 12 of POCSO Act.

Both sides belong to the same family. The
petitioner had lodged Complaint Case No.523 of 2014 against the
informant of this case and others in the court of learned A.C.J.M.,
Patna City vide Annexure-3. Other cases are also going on
between the parties as submitted by the learned counsel for the
petitioner.

In the aforesaid background, allegation is that the
petitioner attempted to ravish the niece of the informant.



Submission of the learned counsel for the petitioner is that to constitute the allegation of attempt to commit rape the requirement is of commission of more act than alleged in the F.I.R.

Considering the background of allegation and nature of material available, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Special Case No.61 of 2016, arising out of Khajekala Police Station Case No.101 of 2016, subject to the condition that both the bailors shall be resident of the territorial jurisdiction of the court below and the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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