

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51697 of 2018

Arising Out of PS. Case No.-65 Year-2018 Thana- SIMRI District- Darbhanga

Vijay Paswan S/o Chandeshwar Paswan, R/o Vill.- Simri, Tola Chamanpur,
P.S.- Simri, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Simri P.S. Case No. 65 of 2018** registered for the offence punishable under Sections 376 of the Indian Penal Code.

Allegation against the petitioner is of attempting to commit rape on the informant in the midnight of 17.05.2018.

The victim was subjected to medical examination on 07.06.2018 and in medical examination the Doctor has opined that there is no sign of any recent sexual intercourse. No Spermatozoa was found. Petitioner has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since 19.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon



furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Darbhanga** in connection with **Simri P.S. Case No. 65 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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