

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62200 of 2017

Arising Out of PS.Case No. -851 Year- 2009 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Ramsumran Sharma @ Sudarshancharya S/o Late Mewa Sharma, R/o
Village- Bera, P.S.- Masaudhi, District- Patna prsently Residing at
Kanchipuram, P.S.- Kanchipuram, District- Kanchipuram (Tamilnadu).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Devi W/o Sri Ramashankar Sharma, R/o Village- Shastabad, P.S.-
Ghoshi (Okari), District- Jehanabad At present Kanchipuram, P.S.+District-
Kanchipuram (Tamilnadu).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry

For the Opposite Party/s : Mr. Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard the learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in connection with
Complaint case no. 851 of 2009 registered for the offences
punishable under Sections 376, 511/34 of the Indian Penal Code.

The allegation in the complaint petition is that when the
victim lady was sleeping in her house, co-accused Ramdayal
Sharma had tried to rape her. It has been further alleged that as far
as the petitioner is concerned, he was sitting at the head of the
victim lady.

The learned counsel for the petitioner submits that the



allegation of committing rape is against co-accused Ramdayal Sharma, however, as far as the petitioner is concerned, no such allegation of any commission of rape has been levelled. It is further submitted that the said co-accused person Ramdayal Sharma has been enlarged on bail. However, the petitioner has been directed to surrender before the court below and court below has been directed to consider his regular bail petition on merits of the case. It is further submitted that the petitioner has a clean antecedent and he is ready to abide by any condition to be imposed by this Court.

Having regard to the facts and circumstances of the case, in the event of arrest or surrender within six weeks, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, in connection with Complaint case no. 851 of 2009, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall appear on each and every date fixed before the learned trial court and on two consecutive default in appearance, the privilege of anticipatory bail shall stand cancelled automatically and the



petitioner would be taken into custody forthwith.

(Mohit Kumar Shah, J)

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