

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15660 of 2018

Arising Out of PS. Case No.-210 Year-2017 Thana- BABUBARHI District- Madhubani

Md. Firoz @ Md. Firoz Alam, Son of Md. Azam, Resident of Village-
Mirzapur, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 14-05-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner, already in custody, seeks bail in connection
with Babubarhi PS Case No.210 of 2017, registered under
Section 302 of the Indian Penal Code.

Allegation is that during investigation it transpired
that the petitioner, a tempo driver, offered tea to the lady
passenger on the way in order to commit sexual assault but she
became unconscious and this petitioner is said to have left the
lady in the Primary Health Centre and later on identified by
witnesses and the lady died of poisoning.

Learned counsel for the petitioner submits that the
FIR is against unknown and on the basis of confessional
statement, the petitioner has been made accused; whereas the



learned counsel for the State submits that the witnesses have identified the petitioner who had left the lady in the Primary Health Centre in unconscious position.

Having considered the nature of offence and evidence against the petitioner, prayer of bail of the petitioner is rejected in connection with Babubarhi PS Case No.210 of 2017, giving rise to Sessions Trial No.38 of 2018, pending in the court of learned Additional Sessions Judge-VII, Madhubani.

(Arun Kumar, J)

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