

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46888 of 2018

Arising Out of PS.Case No. -30 Year- 2017 Thana -MAHILA P.S. District- SAHARSA

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1. Kailash Sharma, Son of Pirbit Sharma @ Priyavat Sharma, Resident of Village Simri, Ward No. 15, P.S. Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-09-2018 Heard the parties.

Petitioner seeks bail in Saharsa Mahila P.S.Case No.30 of 2017 registered for the offences under Sections 376, 511, 323, 379, 34 of the I.P.C.

Allegation against the petitioner is of attempt to commit rape upon the informant and when they complained about the same his wife assaulted the informant.

Submission of the learned counsel for the petitioner is that there is dispute between the parties. The petitioner has been falsely implicated in this case.

Heard learned A.P.P. and the informant who opposed the prayer for bail of the petitioner stating that the witnesses have supported the prosecution case.



Having heard both sides and in view of the facts and circumstances, as stated above, at this stage I am not inclined to grant bail to the petitioner. The prayer for bail of the petitioner is rejected.

However, once charge is framed against the petitioner the trial court shall release him on bail to his own satisfaction.

(Vinod Kumar Sinha, J)

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