

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45216 of 2018

Arising Out of PS.Case No. -782 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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1. Birbal Sharma, Son of Late Ramjee Sharma, resident of Village-
Lakshminiya, P.S. + District- Supaul.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

Mr. R.C. Thakur, Adv

Mr. Kamal Kishore Sah, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-09-2018 Heard the parties.

The petitioner seeks regular bail in connection with
Complaint Case No.782 of 2012 registered for offences punishable
under Sections 448, 376/34 of the Indian Penal Code.

Allegation against the petitioner is that he has committed
commission of rape.

Submission of the learned counsel for the petitioner is that
after investigation police has submitted final form. Cognizance
has been taken in the case. Petitioner is languishing in custody
since 26.03.2018.

Heard learned A.P.P. also as well as learned counsel for the
informant who have opposed the prayer for bail on the ground that
the trial has commenced and one witness has also been examined.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/-(Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IV, Supaul, in connection with Complaint Case No.782 of 2012, subject to condition that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper within the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

Sanjeev/-

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