

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23725 of 2018

Arising Out of PS.Case No. -10 Year- 2018 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Abdul Washe, Son of Mohd. Nafish, Resident of Village- Lahsariya,
Police Station- Patahi (Pachpakri O.P.), District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2018 The petitioner is apprehending his arrest in connection with Patahi P.S. Case No. 10/2018, registered for offences punishable under Sections 342, 456, 376, 511 of the Indian Penal Code.

Allegation against the petitioner that he entered into the house of the informant through roof and was caught by the informant and his son and was beaten by them.

It has been submitted on behalf of the petitioner that earlier to that mother of the petitioner has lodged a case against the informant and others under Section 307 of the IPC and paragraph -7 of the case diary also shows that the victim has not stated about attempt to commit rape by the petitioner.



Heard learned APP as well as learned counsel for the informant. Learned counsel for the informant has submitted that the girl in her statement under Section 164 Cr.P.C. has stated that the petitioner has attempted to commit rape on her.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM –VIII, East Champaran, Motihari, in connection with Patahi P.S. Case No. 10/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the 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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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