

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 21875 of 2019

Arising Out of P.S. Case No.-111 Year-2018 Thana- PATAHI District- East Champaran

MUNNA SAH, aged about 21 years, (Male), Son of Brich Sah, Resident of Village-Patti, Bokane, P.S-Patahi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate
For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 06.08.2018 in connection with Patahi P.S.Case No.111 of 2018 for the offence alleged under Sections 342, 326, 356(A), 354(c), 376, 511 and 506/34 of the Indian Penal Code and under Sections 66(A) and 66(c) of the I.T. Act.

The prosecution case as lodged by the victim lady is that 7-8 months back, her neighbour Binita Devi had given her some intoxicant and the petitioner who was the neighbour of the said Binita Devi had tried to commit rape on her and taken a video and made it viral.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and false allegation has been levelled against him. He submits that chargesheet has already been submitted and the petitioner is languishing in judicial custody for more than eight months.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations, the period of custody as well as that chargesheet has already been submitted coupled with the statement that the petitioner does not bear any criminal antecedent, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Patahi P.S.Case No.111 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, East Champaran, Motihari, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the



learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

B.Kr./-

U		T	
---	--	---	--

