

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1480 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- SIKTI District- Araria

Yugal Kishore Mishra, son of late Chulhai Mishra, resident of Ramnagar, P.S.
Bardaha (Sikty), District, Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Mouar
		Mr. Harish Kumar
		Mr. Rajkrishna Jha,
For the Opposite Party/s :		Mr.Sri Madhuranand Jha
For the informant	:	Mr. Sarangdhar Jha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Sikty (Bardaha) P.S. Case No.
138/2018 registered for the offence punishable under Sections
341, 323, 376, 511 and 34 of the Indian Penal Code.

Informant has alleged that petitioner had come to his
house and informed her husband that he has to purchase some
articles for performing Puja and, thereafter, he went and
purchased Puja articles. While she was feeding her child,
petitioner entered her house and locked the door from inside and
tried to outrage her modesty and commit rape but on her raising
alarm, he fled away from the house.

It has been submitted on behalf of the petitioner that he
is innocent and has been falsely implicated in this case due to



some dispute arising out of pricing of purchased articles. Petitioner has no criminal antecedent and he is in custody since 09.08.2018.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class at Araria in connection with Sikty (Bardaha) P.S. Case No. 138/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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