

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21782 of 2019

Arising Out of P.S. Case No.-349 Year-2018 Thana- DALSINGHSARAI District- Samastipur

CHANDAN RAI @ CHANDAN ROY, Male, aged about 31 years, S/o
Nando Rai @ Nandu Roy Resident of Village- Rampur, Jalalpur, P.S.-
Dalsingsarai, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
25.11.2018 in connection with Dalsingsarai P.S.Case No.349 of
2018 for the offence alleged under Sections 341, 376 and 511 of
the Indian Penal Code.

The prosecution case as lodged by the informant is
that while she had gone for natural call, the petitioner who is the
neighbour tried to commit rape on her but she managed to
escape.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent,
informant is the cousin daughter-in-law of the petitioner and due



to property dispute petitioner has been falsely implicated. He further submits that no overt-act has been alleged against the petitioner and the petitioner is languishing in judicial custody since more than four months, chargesheet having been submitted, there being no allegation of tampering with the prosecution evidence or witnesses.

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

Considering the nature of allegations, the period of custody and that the petitioner does not bear a clean antecedent as stated in para-3 of the present application, 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 Dalsingsarai P.S.Case No.349 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate, Dalsingsarai, Samastipur.

(Nilu Agrawal, J)

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