

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26092 of 2019

Arising Out of PS. Case No.-114 Year-2018 Thana- MAHILA P.S. District- Nalanda

Jambant Sharma Son of Late Shiv Shankar Sharma, Resident of village- Dev Nagar, Police Station- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the State : Mr.C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 26-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 354(B), 307 of the Indian Penal Code and Sections- 8/12 of the POCSO Act.

Allegation against the petitioner is of making attempt to commit rape and on being failure to do so, he assaulted the victim and tried to press her neck.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 25-10-2018. Charge sheet has already been submitted. The petitioner has been falsely implicated in the present case. The petitioner doesn't not have conjugal relationship with his wife. The informant is none



else but the daughter of the petitioner who is in habit of instituting such cases under the influence of the wife of the petitioner. On the earlier occasion also, on the death of father of this petitioner, a case was instituted at the instance of wife of this petitioner. Due to property dispute, such allegations are being made against the petitioner. The allegation, made in the FIR is denied by the petitioner. The petitioner has already been granted bail in earlier case by a coordinate bench of this court vide order dated 09-04-2018 passed in Cr. Misc. No. 10696 of 2018.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Nalanda at Bihar Sharif in connection with Mahila P.S. Case No. 114 of 2018.

(Sudhir Singh, J)

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