

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51625 of 2019**

Arising Out of PS. Case No.-195 Year-2018 Thana- SARAI District- Vaishali

Ajay Paswan Son of Jalandhar Paswan, Resident of Village-Fatehpur  
Fulwaria, Police Station-Sarai, in the district of Vaishali.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate  
For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      20-11-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Sarai P.S. Case No. 195 of 2018 registered for the offences punishable under Sections 376 and 511 of the Indian Penal Code and Section 8, 12 of the POCSO Act.

Learned counsel for the petitioner submits that alleged occurrence took place on 30.08.2018 and the present case has been lodged on 04.09.2018 without explaining the delay. It is further submitted that the dispute arose on demand of money by the wife of the informant and scuffle took place which resulted into implication in the present case. It is further submitted that no such occurrence has ever taken place.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case, that it is the case of attempt to commit rape but it has transpired in the case diary that the petitioner was given some money by the informant for doing some work which the petitioner had not performed and when the money was demanded back by the wife of the informant, on the same day the alleged occurrence is said to have taken place and it is the submission of learned counsel for the petitioner that the case is that of a false implication in which the petitioner has been in custody since 04.06.2019, let the petitioner above named be released on bail in connection with Sarai P.S. Case No. 195 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, Vaishali at Hajipur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

**(Rajeev Ranjan Prasad, J)**

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