

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73159 of 2019

Arising Out of PS. Case No.-217 Year-2018 Thana- KISHUNPUR District- Supaul

MD. KAYUM @ MD. KAIYUM Son of Late Md. Guljar Resident of Village
- Rajpur, P.S.- Kishanpur, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-11-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kishanpur P.S. Case no. 217 of 2018, registered under
Sections 354B, 504 and 506 of the Indian Penal Code.

The accusation is that the petitioner used to tease
the informant seeing her alone in the shop, but she did not
make any complain to anyone. In the night of 24.08.2018,
when she was sleeping along with children in room then all of
sudden, petitioner entered in the room and tried to commit
rape, when informant made alarm then he moved from there
giving threatening for dire consequence.

Learned counsel for the petitioner submits that
while occurrence is said to be committed on 24.08.2018, but



the present case has been lodged on 01.09.2018, after seven days of the occurrence, but no explanation has been given. Further submission is that, in fact, due to grudge and enmity the informant lodged the present case against the petitioner only to give undue pressure.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Kapileshwar Singh Deo, Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 217 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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