

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68366 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- BEERPUR District- Begusarai

MD. SARFAROJ @ MD. SARFARAJ, aged about 28 years (Male), Son of
Md. Jiya, Resident of Village - Sahuri, P.S.- Birpur, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Amrendra Kumar, Advocate.
For the Opposite Party : Mrs.Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-11-2019 Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no. 1 of the bail
petition, in course of the day.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 341, 323, 376/511 of the IPC.

The prosecution story, in brief, is that the petitioner
tried to commit rape with the informant Azmeri Khatoon while
she was returning home and reached near the mustard field of
Masle Alam. He also assaulted the informant on oppose. The
informant was an eight month pregnant lady.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since



13.02.2019. The petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case due to previous enmity. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The allegation made in respect to commit rape is denied by the petitioner. If it is accepted to be true even, at best, it is case for the offence under Section 354 of the IPC. The same is triable by the Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the 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 the learned A.C.J.M.- Ist, Begusarai, in connection with Birpur P.S. Case No. 15/19.

(Sudhir Singh, J)

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