

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84099 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- PIPRA District- Patna

SANTOSH KUMAR GIRI @ RAJ KUMAR GIRI, age - 40 years (Male),
Son of Arbind Giri, Resident of Village - Bariyapur, P.S.- Punpun, Distt.-
Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking regular bail in
connection with Pipra P.S. Case No. 84 of 2019, registered for
the offence under Sections 341, 354B, 448, 376 and 511 of the
Indian Penal Code.

Allegation has been made against the petitioner that
in the night he has entered into the house of the informant and
tried to outrage her modesty. The informant in her statement
recorded under Section 164 of the Cr.P.C. has stated that while
she was sleeping, a person took a jump in her courtyard,
whereafter she woke up, by that time, the petitioner came and
tried to outrage her modesty.



Learned counsel for the petitioner submits that the allegation is absurd as the age of the petitioner is about 40 years whereas the age of the informant is about 60 years. He further submits that the petitioner is in custody since 28.07.2019 without any fault.

Considering the entire facts and circumstances of the case, 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 to the satisfaction of the Judicial Magistrate, 1st Class, Masaurhi, Patna, in connection with Pipra P.S. Case No. 84 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner i.e. mother/father/brother/wife (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of bail and (iii) the petitioner would cooperate in the proceeding of the court below. In the event of failure to appear on two consecutive dates, the court below will be at liberty to pass appropriate order including cancellation of bail bonds of the petitioner.

(Shivaji Pandey, J)

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