

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3872 of 2020

Arising Out of PS. Case No.-270 Year-2019 Thana- MUNGER MUFFASIL District- Munger

MD. SAMIR @ MD. JABAZ @ MD. JAWAZ Son of Md. Safiq Yalam @
Md. Shafi Alam @ Fudo Resident of Village - Mirzapur, Bardah, P.S.-
Muffail, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 270 of 2019, registered for the offence
punishable under Section 376, 511 of the Indian Penal Code
and Section 66(A) of the Information and Technology Act.

The allegation is regarding the petitioner having
entered into the house of the informant by jumping over the
wall and had tried to commit rape with the informant,
however, upon alarm being raised, the husband of the
informant had arrived resulting in the petitioner fleeing away.

The learned counsel for the petitioner has submitted that
the petitioner has been falsely implicated in the present case.



It is further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 2.12.2019. It is further submitted that the informant is 45 years old lady having six children and a preposterous allegation has been levelled against the petitioner of him attempting to rape her, however, no such incident has actually taken place. It is further submitted that no video footage has been brought on record to substantiate the allegation.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the petitioner is having a clean antecedent as also taking into account the period of incarceration, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Muffasil P.S. Case No. 270 of 2019.

(Mohit Kumar Shah, J)

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