

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9103 of 2020

Arising Out of PS. Case No.-239 Year-2019 Thana- GOGRI District- Khagaria

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Suraj Kumar Sharma @ Suraj Kumar Son of Rajkumar Sharma Resident of
Village - Mirganj, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Sager Sharma
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-06-2020 The present case was heard yesterday at
length and today, it has been listed for orders.

This is an application for grant of anticipatory
bail in connection with Gogri P.S. Case No. 239 of
2019 registered for the offence punishable under
Sections 376, 511, 323, 504 and 506 of the Indian
Penal Code.

The allegation is regarding the petitioner
herein having entered the house of the informant
on 15.7.2019 at about 2:00 O'clock in the night
and tried to commit rape with the informant, who
is stated to be blind, whereafter, she had raised an
alarm resulting in co-villagers having arrived there



resulting in the petitioner having fled away, however, his underwear, pant and mobile phone were left at the place of occurrence. It is also alleged that several co-villagers had seen the petitioner fleeing away while abusing them.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and the falsity of the prosecution case is apparent from the fact that the informant is blind.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and perused the materials on record as also those available in the case diary. It is apparent from the statement of the witnesses recorded in the case diary as also the materials collected during the course of investigation that the complicity of the petitioner in the alleged crime is writ large and he had tried to commit rape upon a blind woman, hence, I do not find the present case



to be a fit case for at least grant of anticipatory
bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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