

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16882 of 2020**

Arising Out of PS. Case No.-102 Year-2019 Thana- MAHILA PS District- Darbhanga

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MUKESH SHARMA Son of Deo Narayan Sharma @ Dev Narayan Sharma
Resident of Village - Parsa Bishanpur, P.S.- Keoti, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Girish Chandra Jha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-06-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case registered under Sections
376, 354B, 354C/34 of the Indian Penal Code.

Allegedly, the petitioner used to talk on phone in filthy
language with younger sister of the informant. It is also alleged that
the petitioner tried to commit rape upon the informant.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.
The petitioner is in custody since 31-12-2019. Charge sheet has
already been submitted. The petitioner has been falsely implicated in



the present case. From perusal of Annexure-2, it would be evident that one case had already been instituted by mother of the victim prior to the institution of the present case. The petitioner was not named in the said case. Due to village politics, the petitioner has been dragged in the present case. As per allegation, at best, offence under Section-354 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Darbhanga in connection with Mahila P.S. Case No. 102 of 2019.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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