

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15623 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- MADHEPUR District- Madhubani

Bidya Sadai @ Bidhya Sadai aged about 26 years, male, S/o Bechan Sadai @ Bechan Saday Resident of Village - Bishanpur, Police Station - Madhepur, District - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Shubham

For the Opposite Party/s : Smt. Rina Sinha A.P.P

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 06-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Madhepur P.S. Case No. 38 of 2020, corresponding to G.R. No. 355 of 2020, registered for the offence under Sections 376, 511 and 324 of the Indian Penal Code.

As per the prosecution case, while the victim was cutting grass in field, this petitioner tried to commit rape and it is further alleged that this petitioner snatched sickle from the victim, as a result of which, the index finger of the victim was cut.

It is submitted on behalf of petitioner that no such occurrence has taken place. In fact, the victim was caught red-



handed while cutting the wheat crops from the field of the petitioner and as such, this false case has been lodged against the petitioner. As per injury report, the injury, caused to the victim, has been found to be simple in nature. Investigation is complete. Petitioner has got clean antecedent and he is in custody since 14.03.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances as well as period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed.

Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Jhanjharpur, District - Madhubani in connection with Madhepur P.S. Case No. 38 of 2020, corresponding to G.R. No. 355 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the



prosecution will be at liberty to move for
cancellation of bail.”

(Prabhat Kumar Singh, J.)

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