

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2364 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- DARIYAPUR District- Saran

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SANJAY RAM SON OF MANGAT RAM R/O VILLAGE- BARWE, P.S.-
DARIYAPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the State	:	Mr.Surendra Prasad Singh, APP
For the Informant		Mr.Janamjay Girdhar, Adv.
		Mr. Ram Binod Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-05-2022 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in connection with Dariyapur
P.S. Case No. 307 of 2021 registered for the offences punishable
under Sections 376 and 511 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 18.08.2021, charge-sheet has been
submitted in the case and is a person with clean antecedent and
the informant alleges that the petitioner in a drunken state
entered the house of the informant and tried to commit rape with
her and on alarm the petitioner fled away.

The learned counsel submits that the petitioner has
been falsely implicated in the present case for the reasons best
known to the informant. It is next submitted that the date of



occurrence is 16.06.2021 and the FIR came to be instituted on 03.07.2021, it is further submitted that though an explanation has been furnished in the FIR that the delay in instituting the FIR was caused for the reason that a Panchayati failed, it is next submitted that if the informant could go before the Panchayat with her complaint nothing prevented her from going to the police station promptly.

The learned A.P.P. for the State and the learned counsel for the informant opposes the prayer for bail of the petitioner. The learned counsel for the informant submits that this petitioner in a drunken state entered the house of the informant and tried to commit rape though he failed as the informant raised alarm and the children woke up, it is next submitted that initially the informant had gone before the Mukhiya of the Panchayat for redressal of her grievance but when her efforts failed then she approached the police station, it is next submitted that the petitioner after sometimes again came back to the house of the informant and in presence of the villagers stated that he has violated the informant and his daughter, thus the conduct of the petitioner is dubious if he is granted bail he may commit such occurrence again, but the learned counsel for the informant is not able to meet the



submission of the learned counsel for the petitioner that if the informant could go before the Panchayat nothing prevented her from instituting the FIR promptly.

Considering the fact that the petitioner is in custody since 18.08.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dariyapur P.S. Case No. 307 of 2021 with a condition that one of the bailor shall be the father of the petitioner Mangat Ram.

Further if the learned court below comes to a conclusion that petitioner after his release is trying to delay the trial of the case in any manner, the court below shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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