

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46644 of 2022

Arising Out of PS. Case No.-85 Year-2022 Thana- NIRMALI District- Supaul

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Ramjash Yadav Son of Rajaram Yadav R/v- Itahri, Belahi (Ward No. 9), P.S-
Marouna, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the State : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 06-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned C.G.C. appearing on behalf of the Union

of India.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Nirmalli

P.S. Case No. 85 of 2022 registered for the offence under

Sections 341, 323, 354(B), 307, 504 and 506 of the Indian Penal

Code and Section 37(c) of the Bihar Prohibition and Excise Act,

2018.

The accused/petitioner is named in the F.I.R. and is in

custody since 20.04.2022.

The allegation against the petitioner is to made an

attempt to commit rape upon the informant, while she was



returning to her home, at about 8:30 pm.

Learned counsel appearing on behalf of the petitioner submitted that husband of the informant and petitioner are friends and they usually consume liquor together. It is submitted that, on objection raised by the informant, some altercation took place and, consequent thereof, petitioner was implicated falsely in the present case. It is also submitted that act of petitioner cannot be said as an attempt, for the reason that he left the place of occurrence, without having any intervening circumstances and, as such, the allegation is maximum of outraging the modesty. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

In view of the facts and circumstances, as mentioned above, and by taking note of accusation, where petitioner is in custody since 20.04.2022 coupled with the fact that chargesheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nirmalli P.S. Case No.



85 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Court No.2, Supaul/concerned Court, subject to the conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Ankit/-

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