

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60058 of 2021**

Arising Out of PS. Case No.-51 Year-2021 Thana- NIMACHANDPURA District- Begusarai

RAJA THAKUR Son of Tarak Thakur @ Tarakh Thakur Resident of Village -
Neema Ward No.- 05, P.S.- Nimachandpura, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 27-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Nimachandpura P.S. Case No. 51 of 2021 registered for the
offence under Sections 448, 341, 342, 323, 354, 376 and 511 of
the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 30.07.2021.

The allegation against the petitioner is for attempt to
commit rape upon the daughter of informant.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner has been falsely implicated in the



present case due to neighbourhood dispute. It has further been submitted that from bare persual of the F.I.R., it appears that there is no date about the occurrence, which only justify the false allegations against the petitioner. It has further been submitted that the victim is a married lady and prime allegation is about assault where, on medical examination the injury was found simple. While concluding the argument, it has also been submitted that petitioner is a man of clean antecedences and chargesheet has already been submitted and there is no chance of tampering of evidence.

Learned APP appearing on behalf of the State while opposing the prayer of bail fairly considered that victim is a married lady and neighbor of the petitioner.

Considering the facts and circumstances as mentioned above and considering the period of custody coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Nimachandpura P.S. Case No. 51 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- III, Begusarai, subject to the following conditions:



“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Tarak Thakur, who is the father of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Shashank/-

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