

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53951 of 2022

Arising Out of PS. Case No.-184 Year-2022 Thana- TEKARI District- Gaya

Dharamdev Kewat Son Of Mithlesh Kewat @ Mitlesh Nishad R/O Village-
Chakmath, P.S.- Tekari, Dist.- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration
through Video Conferencing.

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

The petitioner seeks bail in connection with Tekari
P.S. Case No. 184 of 2022 registered for the offence punishable
under Sections 447, 448, 341, 323 and 354 of the Indian Penal
Code.

The allegation against the petitioner is that he entered
into the house of the informant in the night and tried to commit
rape.

Learned counsel for the petitioner submits that
petitioner and informant both are next door neighbor and due to
drainage dispute, the informant concocted a false story and



instituted the present case against the petitioner. He submits that the petitioner has falsely been implicated in this case who is in custody since 27.04.2022. He further submits that although he has five criminal antecedents but those cases are not similar in nature and he is on bail in all those cases. He further submits that the charge sheet has already been submitted and there is no chance of any tampering with the evidence.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court of learned Additional Chief Judicial Magistrate -VI Gaya in connection with Tekari P.S. Case No. 184 of 2022. with following conditions:-

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

(ii) 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.



(iii) That one of the bailers will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(Sunil Dutta Mishra, J)

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