

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64467 of 2021

Arising Out of PS. Case No.-10 Year-2021 Thana- MAHILA P.S. District- Vaishali

RAM SAGAR RAI Son of Dasai Rai Resident of Village- Terasia, P.S.-
Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radhe Shyam

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 10 of 2021 for the offence punishable
under Sections 341, 323, 354, 376 and 511/34 of the Indian
Penal Code.

As per the prosecution story, the allegation made
against the petitioner is that he had dragged the informant with
an intention to rape her.

Learned counsel appearing on behalf of the petitioner
submits that as per the allegation made in the F.I.R., no case is



made out under Section 376 IPC. At best, the petitioner can be held for offence committed under Section 354 IPC. Petitioner has been dragged in a false case due to enmity. Both the informant and the petitioner are neighbour. Petitioner is in custody since 09.08.2021 without committing any offence.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made against the petitioner and period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged 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 Judicial Magistrate 1st Class, Vaishali at Hajipur in connection with Mahila P.S. Case No. 10 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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