

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68648 of 2021**

Arising Out of PS. Case No.-117 Year-2019 Thana- ISHIPUR District- Bhagalpur

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BHARTI PANDEY @ ABHISHEK PANDEY @ ABHISHEK KUMAR @
ABHISHEK KUMAR PANDEY Son of Awadesh Pandey Resident of
Village- Sri Nagar, P.S.- Ishipur Barahat, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-10-2022 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 Isipur
(Barahat) P.S. Case No. 117 of 2019 registered for the offence
under Sections 341, 323, 376 and 511 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.04.2021.

The allegation against the petitioner is to commit an
attempt for rape, along without two unknown co-accused persons,
upon informant/victim, aged about 25 years.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner is handicapped person since childhood
and as such, allegation appears on its face highly improbable. It is



further submitted that allegation against this petitioner is very general and omnibus. It is also pointed out that implication is false, due to local village disputes and differences. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, where, petitioner is in custody since 06.04.2021 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Isipur (Barahat) P.S. Case No. 117 of 2019 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 Session Judge 1st, Bhagalpur/concerned court, subject to the condition as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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