

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33315 of 2024

Arising Out of PS. Case No.-59 Year-2022 Thana- BARGAINIA District- Sitamarhi

Meraj Khan @ Md Meraj Khan @ Md Merajul Haque Khan Son of Md. Nathuni Khan @ Wakil Khan Resident of Village- Jhakhari Khan Tola, (Ward No. 4), P.S- Baigania , Dist- Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 21-06-2024 This is the second attempt of the petitioner for grant of regular bail.

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

3. The petitioner seeks bail in connection with Baigania P.S. Case No. 59 of 2022 registered for the offence under Sections 376D, 511/34 of the Indian Penal Code.

4. As per the prosecution case, the petitioner is said to have tried to commit rape with the victim girl.

5. Earlier the bail application of the petitioner was rejected because the petitioner had suppressed his criminal antecedents.

6. Learned senior counsel for the petitioner Mr. Yogesh Chandra Verma has submitted the case was found false and the petitioner was exonerated by the police and the final form was submitted.

7. The petitioner is in custody since 2.10.2023.



8. Learned counsel for the informant and learned APP for the State have jointly opposed the application of the petitioner for grant of bail and have submitted that the trial is on the verge of conclusion.

9. Considering the fact that the petitioner was exonerated by the police and final form was submitted, this application is allowed.

10. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additonal Sessions Judge-VI-cum-Special Judge, POCSO Act, Sitamarhi in connection with T.R. No. 11 of 2023 arising out of Bairgania P.S. Case No. 59 of 2022.

11. As a condition of this order, the petitioner, after being released on bail is directed to co-operate in the trial either by appearing personally or through his lawyer in the trial Court on each and every date fixed by the trial Court. Non-compliance of the condition will result in cancellation of the bail bonds of the petitioner.

(Sandeep Kumar, J)

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