

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.24552 of 2015**

Arising Out of PS.Case No. -498 Year- 2014 Thana -SONEPUR District- SARAN

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Manish Rai @ Manish Kumar Rai Son of Alakh Rai Resident of Village -  
Sabbalpur Pachhiyari Tola, P.S. - Sonepur, District - Saran at Chapra.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. B. N. Pandey (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**  
**ORAL ORDER**

4      09-10-2015                      Heard both sides.

The petitioner apprehends his arrest in Sonepur P.S.  
Case No. 498/2014, registered for the offences punishable under  
Section 354 and other sections of the Indian Penal Code.

The father of the victim alleged that the petitioner caught  
the hand of the victim while she had gone to attend natural call.

It is submitted that occurrence took place on 31.10.2014  
and FIR was lodged on 02.11.2014, after two days of occurrence.  
The investigating officer did not record statement of the victim  
under Section 161 or 164 of Cr. P.C.

The victim did not come forward to support the case.  
The petitioner is co-villager of the informant and on account of  
land dispute; the petitioner has falsely been implicated in this case.

Learned counsel for the State could not be able to show statement of the victim in the entire case diary.

Considering the facts aforesaid, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S. Case No. 498/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

**(Prabhat Kumar Jha, J.)**

Vinita/-

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