

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51918 of 2018

Arising Out of P.S. Case No. -170 Year- 2017 Thana -PIPRA District- EAST CHAMPARAN (MOTIHARI)

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Raja Mian @ Md. Ali Raja son of Islam Mian, resident of Village- Ashok
Pakari Tiwary Tola, Police Station- Pipra, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 20-09-2018

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular
bail in connection with Pipra P.S. Case No. 170 of 2017
registered for the offence punishable under Sections 341, 342,
323, 354, 376/511, 379, 504, 506/34 of the Indian Penal Code
pending in the court of learned Chief Judicial Magistrate, East
Champaran, Motihari.

Learned counsel for the petitioner submits that as
per allegation the minor daughter of the informant went to
ease in the field and in the meantime Raja Mian (petitioner)
caught her and tried to rape and started to outrage her modesty
on which she shouted and then informant, his son, wife and
Pappu Mian caught the petitioner and took him on road. It is



alleged that on hearing the noise of the co-accused assembled at the door of the informant and tried to rescue this petitioner. It is further alleged that they also assaulted the informant and the co-accused Bhola Mian took out Rs. 23000/- from the pocket of the informant. They managed to escape with Raja Mian (petitioner) from there.

Learned counsel for the petitioner submits that this petitioner has been falsely implicated in the present case out of previous enmity, has no criminal antecedent. It is stated that the present case has been lodged as an outburst of Pipra P.S. Case No. 162/2017 dated 19.07.2017 under Sections 341, 323, 379, 504/34 of the Indian Penal Code filed by co-accused Raja Mian @ Raja Ali against the informant and others. In order to save themselves from the said case and to pressurize to compromise, the present case has been lodged. It is submitted that the case registered under Section 354, 376/511 of the I.P.C. has no basis. It is further submitted that the co-accused Bhola Mian, Sujan Mian and Rajan Mian has been granted anticipatory bail by a learned coordinate Bench of this court.

Learned Additional Public Prosecutor for the



State has opposes the prayer for bail of the petitioner.

In the given facts and circumstances of the case where the petitioner has placed before this court the F.I.R. being Pipra P.S. Case No. 162/2017 and other circumstances mentioned in the petition, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Pipra P.S. Case No. 170/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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