

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24568 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- SAHIYARA District- Sitamarhi

Mukesh Paswan @ Mukesh Kumar, Male, aged about 27 years, S/o Mahanth Paswan, Resident of Village-Purnahiya, P.S.-Sahiyara, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Advocate
For the State : Mr.Umanath Mishra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-11-2020 Heard the parties through virtual court proceeding.

The petitioner seeks bail in connection with Sahiyara P.S. Case No.85 of 2019 registered for the offences punishable under Sections 341, 323, 354, 504/34 of the Indian Penal Code.

The F.I.R. has been lodged on the basis of fardbeyan dated 26.08.2019 of the informant, namely, Rajani Devi. On 25.08.2019, the accused/petitioner with intention to commit illegal act (rape) started teasing as well as dragged her out causing injury and disrobed her after tearing her saree and bouse when she had gone to meet the call of nature in night outside her home in the field. Family members of the petitioner/accused assaulted her husband and mother-in-law when they complained against the petitioner.

Learned counsel for the petitioner submits that other



co-accused have been granted bail by the learned court below itself. He further submits that no occurrence has taken place. Learned counsel for the petitioner further submits that the petitioner has falsely been implicated in this case. He further submits that the petitioner is in jail custody since 23.12.2019. He further submits that the injury report of the victim was simple in nature mentioned in the case diary. He further submits that two cases were lodged against the petitioner mentioned in paragraph-3 of the bail petition under Excise Act.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be released on bail after framing of charge on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Sitamarhi in connection with Sahiyara P.S. Case No.85 of 2019.

(Anjani Kumar Sharan, J)

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