

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13342 of 2021

Arising Out of PS. Case No.-38 Year-2020 Thana- BARH District- Patna

SURAJ PASWAN Son of Bindeshwar Paswan Resident of Village - Purani
Barh Umanath Ward No.16, Principal Secretary, Barh, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 28-09-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 420 and 376 of the Indian Penal Code.

The allegation against the petitioner is that he is said to have committed sexual intercourse with the informant several times. He lived with her in his house but, later on, he threw from his house.



It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, it is not a case of rape, rather there is friendly relation between the petitioner and the informant. It is further submitted that this false and frivolous case has been lodged against the petitioner only with an intent to extort money from the petitioner and to blackmail him. Informant is aged about 22 years as per the assessment of the Magistrate. There is no medical evidence to support the allegation as such no case under Section 376 IPC is made out. The petitioner has no criminal antecedent and has been languishing in custody since 31.01.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in



connection with Barh P.S. Case No.38 of 2020.

(Anjani Kumar Sharan, J.)

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