

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47977 of 2021

Arising Out of PS. Case No.-46 Year-2021 Thana- DEWARIA District- Muzaffarpur

Ram Pukar Rai Son of Late Baidnath Rai Resident of Village- Muza Bangara,
P.S.- Deoria, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar

For the Opposite Party/s : Mr.Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-11-2021 At the outset, learned counsel for the petitioner seeks permission to correct the name of petitioner from the cause title of the bail petition.

Permission is accorded. It may be done in course of the day.

Heard learned counsel for the parties.

The petitioner seeks bail in Deoria P.S. Case No. 46 of 2021, registered for the offence under Sections 341, 323, 354, 312, 504, 506/34 of the Indian Penal Code and Section 3/4 of Dian Act.

As per F.I.R., petitioner alongwith other FIR named co-accused came at the house of informant and thereafter, forcibly got her seated in Bolero vehicle and took her to an unknown house, where allegedly, she (informant) was tied, made naked, abused and committed assault on her, due to which, her three months pregnancy was terminated.



It is submitted on behalf of petitioner that the alleged occurrence took place on 06.03.2021, but F.I.R. has been lodged belatedly on 27.03.2021 without there being any plausible explanation of delay and as such, no reliance can be placed on the alleged F.I.R. There is general and omnibus allegation against all the accused persons. Informant is co-villager of the petitioner and has lodged this case due to village politics. Petitioner is in custody since 09.04.2021.

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

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Deoria P.S. Case No. 46 of 2021.

(Prabhat Kumar Singh, J.)

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