

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9484 of 2021

Arising Out of PS. Case No.-364 Year-2020 Thana- DANAPUR District- Patna

Manoj Kumar Son Of Dayanand Yadav Resident Of New Gosain Tola, Ward
No.-20, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar Gupta
For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-09-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

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 connection with Danapur P.S. Case No. 364 of 2020 registered for the offence punishable under Sections 341, 323, 307, 376, 511, 504 and 506 of the Indian Penal Code.

As per the prosecution case, informant has lodged the instant case alleging that on 18.06.2020, when she was alone at her house then at 11:30 A.M., the petitioner entered into her house and



tried to outrage her modesty. On objection he assaulted her by knife causing injury to her. It is further alleged that the petitioner tried to snatch her child by force but due to intervention of nearby people they could be saved and the petitioner was arrested by the Police.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. Charge sheet has been submitted. He submits that petitioner is innocent and falsely implicated in this case on instance of informant's husband due to previous enmity. He further submits that there is no any injury report in the present case and statement of the victim has not been recorded under Section 164 of the Cr.P.C. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has four criminal antecedents as has been mentioned in para 3 of this bail application and has been languishing in custody since 19.06.2020.

Learned APP for the State opposing the bail petition submitted that there is specific allegation of assault against the petitioner.

In the facts and circumstances of the case and from the perusal of case record including the case diary, I am not inclined to



grant privilege of bail to the petitioner in connection with Danapur
P.S. Case No. 364 of 2020 to the satisfaction of Learned J.M. 1st
Class, Danapur.

Accordingly, prayer for bail of the petitioner is hereby
rejected.

However, petitioner may renew his prayer for bail **after**
framing of charge.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

