

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2022 of 2022

Arising Out of PS. Case No.-88 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

LALAN KUMAR @ LALAN BHAGAT @ LALAN MAHTO S/O AKALU
BHAGAT R/o Village- Sitalpatti, P.S.- Siwaipatti, District- Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha, Adv.
For the Opposite Party/s : Mr.H.A. Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 Heard the parties.

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

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 447, 448, 379, 354, 506/34 of the Indian Penal Code.

Allegedly, the petitioner by entering into the house of informant, tried to outrage her modesty, but on alarm his associates arrived there and started assaulting her.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. There is a case and



counter-case between the parties. No one has received injury. The alleged occurrence is said to have taken place on 22.07.2021 but the FIR was lodged on 28.07.2021, i.e. after a delay of 6 days, without giving any plausible explanation in this regard. This creates doubt about the prosecution case. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Siwaipatti P.S Case No. 88 of 2021 (G.R. No.2999/2021), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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