

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3432 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- BELDOUR District- Khagaria

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Raushan Kumar S/o Naresh Choudhary R/o village- Gendharsan, P.S.-
Beldour, District- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-05-2022 Heard both parties.

The petitioner seeks bail in Beldour P.S. Case No. 21 of 2021, registered for the offence punishable under Section 354(b)/34 of the Indian Penal Code. Later on, 376/34 IPC was added.

As per the prosecution case, on 30.01.2021 at about 7 PM when the sister-in-law of the informant went to ease out, this petitioner attempted to molest her. However, during course of investigation, the victim was examined in which she alleged commission of rape also against this petitioner.

It is submitted on behalf of the petitioner that initially the FIR was lodged under Section 354(B) and after six months of the occurrence, the victim girl was examined in which she made allegation of sexual assault. The victim girl was medically



examined and no sign of rape was found. Petitioner is in custody since 17.06.2021.

Considering the contradiction in the FIR and statement of victim girl under Section 164 Cr.P.C that too was recorded after lapse of six months of the alleged occurrence, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 6th, Khagaria in connection with Beldour P.S. Case No. 21 of 2021.

(Prabhat Kumar Singh, J)

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