

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5374 of 2022

Arising Out of PS. Case No.-28 Year-2018 Thana- RANIGANJ District- Araria

Md. Sohel @ Md. Sohel Ahmad Son Of Jainul @ Jainna @ Md. Jainul Miyan
R/O Village- Bhorho, P.S.- Raniganj, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 457, 376/511 of the Indian Penal
Code.

The prosecution allegation, in short, is that the
petitioner outraged the modesty of the informant and also tried
to commit rape upon her.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case. After investigation, the police has submitted final form against the petitioner vide Annexure-2 to the present application. The Court below had differed with the police report and took cognizance in the present case. From perusal of the F.I.R., it appears that at best it is a case for offence under Section 354 IPC which is triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- VI, Araria in connection with Raniganj P.S. Case No. 28 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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