

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9360 of 2022

Arising Out of PS. Case No.-152 Year-2021 Thana- PHENHARA District- East Champaran

MITHU RAM @ MITHU KUMAR RAM SON OF RAMASHISH RAM
Resident of Village - Kalupakar, P.s.- Fenhara, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Abhishek Kumar, Advocate
For the State	:	Mr.Sanjay Kumar Tiwary, APP
For the informant	:	Mr.Shyama Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

Learned Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered under Sections 447, 448, 323, 379, 354(B), 376, 511/34 of the Indian Penal Code.

Prosecution case, in short, is that the accused persons including the petitioner entered in the house of the informant and pulled her mother on the point of knife to kitchen and tore her clothes. Thereafter co-accused Rupesh Paswan entered in the room and outraged the modesty of the informant.

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. The main allegation is alleged against the co-accused, namely, Rupesh Paswan. From perusal of the F.I.R., it appears that at best it is a case for an offence under Section 354 I.P.C. Altogether seven named persons alongwith 50 unknown persons have been made accused in the present case.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or 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/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sri Bhola Singh, Judicial Magistrate, 1st class, Motihari, District East Champaran in connection with Fenhara P.S. case No.152/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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