

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40915 of 2021

Arising Out of PS. Case No.-18 Year-2021 Thana- SARSI District- Purnia

RAJEEV KUMAR MEHTA Son of Raghunandan Mehta @ Raghu Munsi
Resident of Village- Harbhanga, Ward No.10, P.S.- Sarai, District- Purnia.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Md. Hussain, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 10-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Sarsi P.S. Case No. 18 of 2021, for the offence punishable under
Sections 376, 341, 323, 328, 504, 506 and 354/34 of the Indian
Penal Code.

The prosecution case, in brief, is that the petitioner
with an intention to marry with the victim had tried to poison
the victim and forcibly took her along with him. Seeing the
informant, the petitioner pushed the victim from the vehicle for
which the victim was treated at the hospital.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has clean antecedent. In fact, the victim and petitioner were in love relationship, which was objected by the family members due to which such false allegation has been made against the petitioner. The statement of the victim under Section 164 Cr.P.C. is also contradictory in nature. He further submits that neither physical assault nor sexual assault has been alleged against the petitioner. The petitioner is in custody since 04.04.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the allegation made in the F.I.R. as well as the specific statement of the victim in which she has denied any allegation of sexual assault committed by the present petitioner, prima facie the petitioner has made out a case to be released on bail. The petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Sarsi P.S. Case No.18 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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