

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49753 of 2021

Arising Out of PS. Case No.-459 Year-2021 Thana- KUDHNI District- Muzaffarpur

Rajeev Ram, s/o Lakhendra Ram, r/o Jamaharuaa, PS- Maniyari, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-03-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with Kudhani PS case no. 459 of 2021 instituted for the offences punishable under Sections 341, 342, 376/ 511 of Indian Penal Code and Section 37(c) of Bihar Prohibition and Excise Act, 2016

The allegation is regarding the petitioner having misbehaved in an indecent manner with the informant, however upon alarm being raised, co-villagers had arrived there, whereafter the petitioner had fled away. It is also alleged that the petitioner was in an inebriated condition.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely



implicated in the present case, is having a clean antecedent and is languishing in custody since 28.06.2021. The learned counsel for the petitioner has further submitted that since the allegation levelled against the petitioner is both under Section 376 as also Section 511 of the Indian Penal Code, it is apparent that no untoward incident had taken place, hence the petitioner may be granted the privilege of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner had though misbehaved with the informant but no untoward incident had taken place, apart from the fact that the petitioner is having a clean antecedent and he is languishing in custody since about 08 months, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Special Judge, Excise Act,



Muzaffarpur in connection with Kudhani PS case no. 459 of
2021.

(Mohit Kumar Shah, J)

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