

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42497 of 2022

Arising Out of PS. Case No.-125 Year-2022 Thana- PATORI District- Samastipur

Nepali Rai S/o Rajbali Rai Resident of Village- Baghra, P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 30-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Patori P.S. Case No. 125 of 2022 lodged under Sections 341, 323, 354B, 448, 504, 506/34 of the I.P.C. and Section 8 of the POCSO Act read with Section 37(C) of Bihar Excise Prohibition (Amendment) Act.

As per the prosecution case, the petitioner along with other named accused persons entered in the house of the informant at about 9 pm in drunken state. The further allegation is to outrage the modesty of the daughter of the informant on opposed by the husband of the informant. They assaulted the

informant's family.

Learned counsel for the petitioner submits that petitioner is in custody since 06.04.2022, charge sheet has already been filed in this case and having clean antecedent.

Learned counsel for the State opposes the prayer for bail and raised issue that the allegation of the F.I.R. has been fully supported by the victim her statement under Section 164 Cr.P.C. which is clear from the order passed by the Special Judge.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at this stage.

But liberty is hereby granted that petitioner may renew his prayer for bail after framing of charge.

(Dr. Anshuman, J)

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