

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62840 of 2021**

Arising Out of PS. Case No.-158 Year-2021 Thana- SHAMBHUGANJ District- Banka

BIBHASH DAS @ VIBHASH CHANDRA DAS Son of Late Adhik Das
Resident of Village- Mohanpur, P.S.- Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-04-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection
with Shambhuganj PS case no. 158 of 2021 instituted for the
offences punishable under Section 354(B) and other allied
sections of Indian Penal Code.

The allegation is regarding the petitioner
having tried to outrage the modesty of the daughter of the
informant, however, the informant had arrived at the place of
occurrence to rescue her daughter, whereafter the petitioner is
stated to have assaulted both the informant and her daughter.

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 23.07.2021. The learned counsel for the petitioner has further submitted that the F.I.R. has been filed belatedly, inasmuch the incident took place on 30.06.2021, however the F.I.R. has been lodged on 08.07.2021. It is also submitted that the petitioner is languishing in custody since about 08 months, hence has already been suitably punished.

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 there is a delay of about 07 days in lodging of the F.I.R., the petitioner is having a clean antecedent and is languishing in custody since about 08 months apart from the fact that no allegation has been levelled regarding the petitioner having actually outraged the modesty of the daughter of the informant, 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 Chief Judicial
Magistrate, Banka in connection with Shambhuganj PS case
no. 158 of 2021.

(Mohit Kumar Shah, J)

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