

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64462 of 2021

Arising Out of PS. Case No.-78 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Raj Kumar Chaudhary S/O Suresh Chaudhary R/o village- Mathurapur (Tara),
P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kabita Kumari D/o Vinod Ray R/o village- Mathurapur (Tara), Ward No. 11,
P.S.- Kalyanpur, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Complaint
Case No. 78 of 2019, registered for the offences punishable
under Sections 323, 342, 354 and 504 of the Indian Penal Code
and section 8 of the POCSO Act.

As per the FIR when the complainant was alone at her
house, co-accused Jitendra Choudhary entered into her house
and forcibly torn her cloths and tried to outrage her modesty. On
alarm informant's mother came she caught hold of the Jitendra
Choudhary and started shouting, then co-accused Satish
Choudhary came and petitioner and Satish Choudhary started
beating informant and her mother. Thereafter, villagers



assembled there and the all the accused persons fled away after destroying the hut of the complainant.

It is submitted that petitioner has been falsely implicated in this case. There is general and omnibus allegation of assault against all the accused persons. Specific allegation of outraging modesty of complainant is against co-accused Jitendra Choudhary. Co-accused Satish Choudhary has already been granted bail by a coordinate Bench of this court vide order dated 13.05.2022 passed in Cr. Misc. No. 61150 of 2021. Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge Ist, Samastipur in connection with Complaint Case No. 78 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

