

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11939 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- PIRPAINTI District- Bhagalpur

Ranjan Kumar S/o Parmeshwar Das R/o village and P.O.- Salempur, P.S.-
Pirpainty, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Mehta, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since 29.08.2022, in connection with Pirpainty P.S. Case No. 280 of 2022, F.I.R. dated 28.08.2022 registered for the offences punishable under Sections 341, 323, 509, 354(b), 354(d), 376 and 511 of the Indian Penal Code.

Allegation against the petitioner is that he tried to commit rape with the informant-victim and always used to molest her.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that the statement of the victim was recorded under Section 161 of the Cr. P.C. in which she has categorically stated that the petitioner had tried to commit rape upon her and hence no case is made out under Section 376 of the Indian Penal Code. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2022.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Pirpainty P.S. Case No. 280 of 2022, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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