

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16533 of 2023**

Arising Out of PS. Case No.-496 Year-2022 Thana- SARAIYA District- Muzaffarpur

Mukesh Kumar Son Of Sanjay Paswan R/V- Najampura, Ps- Asthwa, Dist-
Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Nandan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 02-08-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Saraiya P.S. Case No.
496 of 2022 dated 10.07.2022 registered for the offences u/ss
363 and 376 of the Indian Penal Code.

4. As per the prosecution case, the informant made a
complaint that his wife went to her parental house and when he
made phone call to her, her phone was found switched off and
even she did not reach at her parental house.

5. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. The victim in her statement recorded under section 161 of the Cr.P.C. has stated that she was making calls to the petitioner from one year back and both were talking to each other. There was love affair between the parties. As per impugned order, the victim is aged about 25 years. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.10.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner used to harass the victim sexually.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur in connection with Saraiya P.S. Case No. 496 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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