

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22629 of 2023

Arising Out of PS. Case No.-77 Year-2022 Thana- HARINMAR District- Munger

Ravish Kumar, S/o Vijay Singh, Resident of Village-Raita, P.S.-Harinmar,
District- Munger

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjeet Patel, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with Harinmar P.S. Case No.77 of 2022 registered for the
offences punishable under Sections 376, 511, 323, 504, 506 of
the Indian Penal Code and Section 8 of the Protection of
Children from Sexual Offences Act.

3. The accused/petitioner is named in the FIR and is
in custody since 15.02.2023.

4. Allegation against the petitioner is to make an
attempt to commit rape upon minor daughter of informant aged
about 16 years while she was going to attend coaching class.

5. It is submitted by learned counsel that petitioner
has been implicated falsely with present case out of local
dispute and differences and same is apparent from the fact that



the occurrence took place on 27.05.2022 whereas complaint to the said effect was filed before the court of learned Chief Judicial Magistrate on 05.08.2022 i.e. after more than two months, where in furtherance of said complaint, the present FIR was lodged under Section 156(3) of the Cr.P.C. It is submitted that if statement of victim be taken into consideration as recorded under Section 164 of the Cr.P.C., maximum allegation appears regarding outraging modesty, where victim refused to join medical examination. While concluding argument, it is submitted that the petitioner is a man of clean antecedent and moreover investigation of this case has been completed for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer for grant of bail to the petitioner.

7. In view of above-mentioned facts and circumstances and by taking note of fact as occurrence was reported after two months without having any just explanation, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 15.02.2023, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the learned Additional District Judge-VI (POCSO), Munger in connection with Harinmar P.S. Case No.77 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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