

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22996 of 2023

Arising Out of PS. Case No.-62 Year-2021 Thana- BAHERI District- Darbhanga

Rakesh Kumar Singh @ Jawahar Singh Son Of Late Harischandra Singh @
Harishchandra Singh R/O Village- Harachha, Ward No.9, P.S.- Baheri,
District- Darbhanga

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur

For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 308, 354-A, 504 and 506/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, there is allegation against the petitioner to assault the informant by means of stick. Thereafter, the petitioner opened the informant's *sari* due to which she became half naked.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is delay of seven days in



filing of the present FIR and there is no any explanation of it which creates serious doubt about prosecution case. He submits that injury found upon the victim is simple in nature. He further submits that there is admitted land dispute between the parties. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Darbanga Baheri P.S. Case No.62/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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