

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25425 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- BAGHA District- West Champaran

Jay Prakash Patel Son Of Late Lal Parikhan Patel Resident of Village-
Shivrajpur, PO- Padarkhap, PS- Bhairoganj, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar,Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia,APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-07-2023 Heard Mr. Manoj Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Pawan Kumar Chaurasia,
learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bagaha (Bhairoganj) P.S.Case No.197 of 2022, registered
for the offences punishable under Sections 341, 323, 354B, 420,
406 & 504 of the Indian Penal Code.

3. As per the FIR, the informant, who is a lady, has
alleged that the petitioner tried to outrage her modesty when she
requested the petitioner to return back her Rs.1,50,000/-.

4. The learned counsel appearing on behalf of the
petitioner submits that before the present case, the petitioner
had lodged an FIR and in retaliation, the petitioner has been
implicated in a false case after more than six months of the



alleged day of the incident i.e. on 22.03.2022. Learned counsel further submits that the ingredients of Section 420 Cr.P.C. is lacking and the allegation as alleged against the petitioner is not sustainable. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the nature of allegation made against the petitioner as well as the fact that the FIR is not accompanied by any of the instrument or written agreement between the informant and the petitioner. Petitioner is an Ex-Army man. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Bagaha, West Champaran in connection with Bagaha (Bhairoganj) Police Station Case No.197 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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