

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26958 of 2023

Arising Out of PS. Case No.-121 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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RAMESH PASWAN @ RAMESH KUMAR PASWAN SON OF LATE
PALTAN PASWAN RESIDENT OF VILLAGE- THATHA, WARD NO. 12,
PS- CHERIA BARIYARPUR, DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 17-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
354(B), 308, 504/34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that Sanjeev and petitioner alongwith unknown accused
intercepted her on 03.06.2021 at 7:00 pm and petitioner caught
her and Sanjeev untied her saree making her semi-naked, on
alarm Muniya came who was assaulted by the accused persons
including the petitioner, further petitioner assaulted her by butt
of pistol causing injury on back and shoulder.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case it is next submitted that the date of occurrence is 03.06.2021 and the informant gave her written application before the Officer In-charge of the concerned P.S. on 10.06.2021 that is after a delay of 7 days, which cast an aspersion on the case of the prosecution. It is further submitted that even the injury suffered is simple in nature, it is next submitted that since the complaint before the police was filed seven days after the occurrence as such, it may be a possibility that the occurrence took place in some other manner and the informant falsely implicated the petitioner taking advantage of the same.

5. Learned A.P.P. for the State alongwith learned counsel for the informant opposes the prayer for anticipatory bail of the petitioner, but are not in a position to rebut the submission of the learned counsel of the petitioner that there was a delay of seven days in approaching the police in instituting the FIR.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/-
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned trial court where the case
is pending/successor court in connection with Cheria Bariyarpur
P.S. Case No. 121 of 2021 subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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