

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32377 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- BIRAUL District- Darbhanga

Mukesh Choudhary Son of Jata Shankar Choudahary @ Jayshankar Choudhary, Resident of Village- Sahasaram, Police Station- Biraul, district- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-06-2023 Let the defect(s), if any, be removed within two weeks from today.

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

3. The petitioner seeks regular bail in connection with Biraul P.S. Case No.62 of 2023 corresponding to G.R. No.20 of 2023 dated 20.02.2023, lodged under Sections 147, 323, 341, 324, 307, 427, 376(D) of the Indian Penal Code.

4. As per the prosecution case, F.I.R. has been lodged against ten named persons including present petitioner. Informant has disclosed that she appeared in a program of *Shiv-Ratri*. In the said night, some people started putting pressure to continue the said program further and in doing so, specific allegation of rape has been made against accused Govind Choudhary and Rahul Chowdhary.

5. Counsel for the petitioner further submits that from the content of the F.I.R. it transpires that there is no allegation

against the present petitioner. He submits that petitioner is resides in Mumbai and he came to his village to attend *Shradh* of his uncle. Counsel submits that so far injury is concerned, vide annexure-2 series and Annexure-3, the injuries of the alleged victim are simple in nature and doctors' upon is also not supporting the grievous nature of injuries. Counsel submits that petitioner is in custody since 23.02.2023, having clean antecedent and chargesheet has already filed in this case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Darbhanga in connection with Biraul P.S. Case No.62 of 2023 corresponding to G.R. No.20 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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