

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45108 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- SATHI District- West Champaran

Abhay Chaubey @ Abhay Kumar Chaubey Son Of Harendra Chaubey
Resident Of Village - Mushaharwa, Police Station - Sathi, District - West
Champaran

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-09-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under sections
323, 341, 448, 354B, 504, 506/34 of the Indian Penal Code
and Section 8 of the POCSO Act and Sections 3(i)(r)(s),
3(2)(va) of SC/ST Act.

3. As per FIR, the allegation against one co-
accused, namely Chokati Chaubey @ Dhananjay Chaubey
is that when he was trying to outrage the modesty of the
informant and also using abusive words by taking her caste
name, in the meantime petitioner came there and took away



the co-accused from the place. It is further alleged that the petitioner and co-accused persons assaulted her when she was going to lodge this case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to ulterior motives. It is mentioned in the FIR that co-accused tried to outrage the modesty of the informant and was also using abusive words by taking her caste name rather no specific allegation of commission of any wrong levelled against the petitioner. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.03.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sathi P.S. Case No. 304 of 2022 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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