

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37913 of 2023

Arising Out of PS. Case No.-309 Year-2023 Thana- MADHEPURA District- Madhepura

SUSHIL KUMAR Son of Sanjit Thakur Resident of village - Jamhra (ward
no. 05), P.s - Saur Bazar, Distt. - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 341, 342, 323, 325,
307, 376, 511, 354B, 504, 506/34 of the Indian Penal Code.

As per allegation in the FIR, accused Prashant Kumar
under a conspiracy took the victim girl at his lodge where three
boys including the petitioner were already present. Accused
Prashant Kumar has attempted to commit rape with the
informant/victim in a room and accused Raushan Kumar locked
the room from outside.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Specific
allegation of attempt to commit rape is against co-accused



Prashant Kumar. Petitioner is named in the FIR only because he is residing at the alleged lodge for study purpose. There is no allegation of any overt act against him. He has got no criminal antecedent and languishing in judicial custody since 25.03.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Madhepura in connection with Madhepura P.S. Case No. 309 of 2023.

(Sunil Kumar Panwar, J)

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