

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40886 of 2023

Arising Out of PS. Case No.-216 Year-2023 Thana- FATEHPUR District- Gaya

Bipin Chaudhary @ Bipin Kumar Choudhary, Son of Lal Bihari Chaudhary
Resident of village - Pipra, P.S.- Fatehpur, District - Gaya

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manisha Prakash, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Fatehpur P.S. Case No.- 216 of 2023 registered for the offences punishable under Section 354, 504, 506, 354 (A) /34 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner regularly committed indecent action with the informant's daughter and even tortured her through her mobile. Due to this the marriage of the informant's daughter also cancelled. When the informant went to the petitioner's house to complain, the petitioner's family abused and assaulted him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. It is submitted that the allegations are completely false and from the FIR it would appear that the petitioner and the victim girl were talking to each other.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is the submission of the petitioner that he was a classmate of the victim girl, the alleged occurrence is said to have taken place on 10.02.2023 but the present FIR has been lodged on 20.03.2023, the allegations are completely false and from the FIR it would appear that the petitioner and the victim girl were talking to each other, in the nature of of the submissions and the materials available on record, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Fatehpur P.S. Case No.- 216 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM Xth, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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