

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46739 of 2023

Arising Out of PS. Case No.-115 Year-2023 Thana- RAJEPUR District- East Champaran

RAHUL KUMAR Son of Sanjay Prasad @ Sanjay Kumar Resident of
Village-Kashi Pakadi, P.S.-Rajepur, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Ataur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since
01.06.2023 in connection with Rajepur P.S. Case No. 115 of
2023, F.I.R. dated 31.05.2023 for the offences punishable under
Section 354(B) of the Indian Penal Code.

3. According to prosecution case, in brief, is that on
30.05.2023 at about 12:00 P.M. this petitioner Rahul Kumar
came to the house of the informant and brought the informant
with him to the field and tried to do wrong act with her, but
villagers saw them and raised alarm and thereafter, petitioner
Rahul Kumar fled away. After some time, petitioner again came
to the house of the informant and brought her to another village.
In the next morning i.e. on 31.05.2023, when villagers came to



know about the said occurrence, this petitioner left the informant to her house.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that bare perusal of F.I.R. it appears that petitioner has not committed anything wrong with the informant and the petitioner is in judicial custody since 01.06.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, East Champaran at Motihari in connection with Rajepur P.S. Case No. 115 of 2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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