

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55216 of 2023

Arising Out of PS. Case No.-21 Year-2021 Thana- MUFFASIL District- West Champaran

LADDU PATEL @ NAGESHWAR KUMAR SON OF MURARI PATEL @
MURARI PRASAD RESIDENT OF VILLAGE CHARGAHA PO AND PS
BETTIAH MUFFASIL DISTRICT WEST CHAMPARAN BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikas Ratan Bharti

For the Opposite Party/s : Mr. Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bettiah (Mufassil) P.S. Case No. 21 of 2021 dated 5.1.2021 registered for the offences punishable u/s 147, 148, 149, 323, 325, 376D, 457, 341, 307, 354B, 380 and 120B of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and tried to outrage her modesty. The co-accused, Saroj Thakur tore saree of the informant and raped her and the co-accused, Manoj Thakur made video of the occurrence. Further, the co-accused persons assaulted the informant with



iron rod on her head and shoulder. She sustained broken injuries and was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The specific allegation of committing rape is against the co-accused Saroj Thakur. The allegation against the petitioner and the co-accused persons is of caught hold of the arms of the victim. Learned counsel has further submitted that there is no injury in the arms and shoulder of the victim. The petitioner is accused in 4 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 27.1.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner also assaulted the victim causing broken injury on her arms and shoulder.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, West Champaran, Bettiah in connection with Bettiah (Mufassil) P.S. Case No. 21 of 2021 with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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