

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47186 of 2023

Arising Out of PS. Case No.-401 Year-2022 Thana- KESARIA District- East Champaran

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Vinay Kumar Rai @ Vinay Kumar Son of Late Kedar Rai Resident of village
- Kushar Ward no. 3, P.S. - Kesariya, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-09-2023 Heard learned counsel for the petitioner and the

State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 354B, 506 and 34 of the Indian Penal Code.

3. Prosecution case in brief is that on the alleged date and time of occurrence, this petitioner and co-accused tried to commit rape with the informant. It is further alleged that this petitioner assaulted the informant with iron rod on her head and co-accused Alok Rai snatched golden Mangalsutra from her neck.

4. It is submitted that both parties are agnates. Due to land dispute between the parties, petitioner has been falsely implicated in this case. Injury caused by the petitioner is simple



in nature. Both parties are on litigating term. Moreover, there is inordinate delay of five days in lodging of the FIR.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Kesaria P.S. Case No. 401 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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