

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49336 of 2023

Arising Out of PS. Case No.-21 Year-2023 Thana- KARAHGAR District- Rohtas

Yogesh Sah @ Yogesh Sah @ Yugesh Kumar @ Yugush Sah S/O Jag Narayan
Sah R/O Village- Sawan Bahar, Ps. Kargahar (Badhari O.P.), Dist. Rohtas At
Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 342, 328, 354/34 of the Indian Penal Code.

3. According to the FIR, the petitioner is alleged to have outraged the modesty of the informant after administering her some intoxicating material. Somehow, she contacted her father from mobile who brought her to house.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of case diary, there is no consistent evidence regarding administering



intoxicating material to the victim by the petitioner. The medical report of the victim has also not supported the prosecution case wherein, doctor has not found any sing of intoxicated material. The victim is major who stated her age about 20 years in her statement recorded u/s 164 of the Cr.P.C. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. Moreover, he is languishing in judicial custody since 8.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kargahar (Badhari OP) P.S. Case No. 21 of 2013 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

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