

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55582 of 2023

Arising Out of PS. Case No.-29 Year-2016 Thana- BISFI District- Madhubani

Rahul Kumar @ Rahul Das son of Bindeshwar Das Village- Chahunta
Chahunta PS- Bisfi Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagandeo Yadav

Mr.Ravi Prakash

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 376, 511, 504/34 of the Indian Penal Code. Later on section 354(B) IPC was added.

3. As per the prosecution case, petitioner attempted to commit rape with the minor daughter of the informant.

4. It is submitted by the counsel for petitioner that petitioner has been falsely implicated in this case. As a matter of fact, petitioner and his father filed Sanha against the informant who used to sell liquor at her tea stall and earlier, informant threatened them to implicate in false case. In order to take



revenge, this false case has been lodged by the informant. It is next submitted that petitioner has been granted benefit of section 41(A) of the Cr.P.C. Moreover, there is delay of eight days in lodging of the FIR for which there is no plausible explanation which create serious doubt over the prosecution case. Petitioner claims clean antecedent.

5. learned APP for the State vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the petitioner above-named, be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge (POCSO Court), Madhubani in connection with Bisfi P.S. Case No. 29 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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