

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53710 of 2023

Arising Out of PS. Case No.-224 Year-2023 Thana- DARIYAPUR District- Saran

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TARWEJ ALAM S/O SAMSHUL HAQUE RESIDENT OF VILL
HUKRAHAN PS DARIYAPUR DISTT SARAN AT CHAPRA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 341, 323, 324, 354B, 452, 379, 504/34 of the Indian Penal Code and Section 7 of the POCSO Act.

3. As per FIR, when the informant was standing on the terrace of her house, then Tarwej Alam (petitioner) of her village started trying to rape her by climbing on the roof of her house. It is further alleged that the the petitioner torn her cloth. Thereafter, when the informant's family members went to the house of co-accused for complaining, it is alleged that the petitioner's family assaulted the informant's family



members due to which, the informant side sustained injuries.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute. He has committed no offence. There is general and omnibus allegation against the petitioner and no specific overt act of assaulting against the petitioner. The family members of the informant put pressure upon the petitioner to marry with the informant and on refusal of the proposal of marry with the informant by the petitioner, due to this petitioner has been falsely implicated in the present case. He further submitted that from the perusal of the impugned order, it is apparent that most of the person, who sustained injury, is simple in nature. He is languishing in judicial custody since 04.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount



each to the satisfaction of the learned Court below in
connection with Dariyapur P.S. Case No. 224 of 2023.

(Sunil Kumar Panwar, J)

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