

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54249 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- KHIJARSARAI District- Gaya

RAHUL KUMAR @ RAHUL CHAUDHARY, aged about 20 years, Male,
son of Ashok Chaudhary @ Kara Chaudhary VILLAGE- CHIRAILI PS
-KHIZERSARAI DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate
For the Opposite Party/s : Ms.Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 09-11-2023 Heard Mr. Shailesh Kumar, learned counsel appearing
on behalf of the petitioner and Ms. Anita Kumari, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Khizersarai P.S. Case No. 74 of 2022 dated 22.02.2022
registered for the offence(s) punishable under Sections 341,
354,504,34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner
is alleged to have assaulted and outraged the modesty of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner has not committed any
offence as alleged in the FIR and he has been implicated in a



false case. It is further submitted that statements of independent witnesses have been recorded in course of investigation, who have stated that informant herself has uploaded the photograph of the sister of the petitioner and the same was objected by him which led to the alleged incidence, not in the manner, as alleged in the FIR. It is lastly submitted that petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation as well as the facts that petitioner has objected the informant, who had uploaded the photograph of his sister on her mobile phone due to enmity and which led to the alleged incidence, I am of the opinion that petitioner has, prima facie, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IV, Gaya in connection with Khizersarai P.S. Case No. 74 of 2022,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

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