

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56299 of 2023

Arising Out of PS. Case No.-304 Year-2022 Thana- SATHI District- West Champaran

Abhaya Choubey @ Abhay Choubey S/O Sri Janak Choubey R/O Vill -
Mushaharwa, P.S. - Sathi, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Bigan Kumari D/o Hiranman Ram R/o vill - Mushharwa, P.s. - Sathi, Distt. -
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta, Adv
For the Opposite Party/s : Mr.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 341, 323, 448, 354B, 504, 506/34 of the Indian Penal Code and section 3(i)(r)(s), 3 (2) (V-a) SC/ST Act and 8 of POSCO Act.

3. As per the prosecution case , co-accused Dhananjay Choubey tried to raped the informant, in the meanwhile, the sister of the informant came there and caught him then the petitioner abused and assaulted the informant and her sister.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. After investigation police submitted final form but the learned court below differed with the final form and took cognizance against the petitioner. The petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the facts that the final form has been submitted, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Sathi P.S. Case No. 304 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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