

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59087 of 2023

Arising Out of PS. Case No.-172 Year-2022 Thana- DEWARIA District- Muzaffarpur

Ranjeet Ray Son Of Ramjanam Ray Resident Of Village -DHARFARI, Ps-
Deoria, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 26-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since 31.12.2022, in connection with Sessions Trial No. 560 of 2023 arising out of Deoriya P.S. Case No. 172 of 2022, F.I.R. dated 04.10.2022 registered for the offences punishable under Sections 363, 366A, 34 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons abducted the daughter of the informant due to ulterior motives.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that from a bare perusal of the F.I.R. it appears that the date of occurrence as alleged in the F.I.R. is 10.09.2022 but the present F.I.R. was



instituted on 04.10.2022 after delay of 24 days without giving any explanation of delay. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the statement of the victim was recorded under Section 164 of the Cr. P.C. in which she has categorically stated that the petitioner and other co-accused persons had abducted her but she has not stated anything about the sexual assault against this petitioner or any other co-accused person. He further submits that co-accused person namely Ranjay Rai against whom the similar allegation has been granted bail vide order dated 28.06.2023 passed in Cr. Misc. No. 21936 of 2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 31.12.2022.

5. The learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail 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 Sessions Judge-



15th, Muzaffarpur in connection with Sessions Trial No. 560 of 2023 arising out of Deoriya P.S. Case No. 172 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Rajesh Kumar Verma, J)

