

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62174 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- MOHIUDDIN NAGAR District-
Samastipur

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DEVAN KUMAR @ DEVANAND KUMAR SON OF BATHU
CHAUDHARY @ DEVENDRA CHAUDHARY R/O VILLAGE-
KURSAHA, P.O. AND P.S.- MOHIUDDIN NAGAR, DISTT.-
SAMASTIPUR Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 341, 323, 354, 354B,
379, 504 and 506/34 of the Indian Penal Code and sections 4/8
of POSCO Act.

As per allegation in the FIR, when the informant was
going for coaching with her cousin by bicycle and reached near
temple, accused persons including the petitioner stopped their
bicycle and forced the informant to come near roadside bamboo
clamp for wrong purpose. It is further alleged that they thrashed
her with fist and slaps, snatched her gold pendent and threatened
her to face dire consequences.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. Specific allegation of assault and trying to outrage the modesty is against co-accused Dheeraj Kumar and petitioner has no concern with the alleged incident. Petitioner is not named in the FIR. In statement of the victim girl recorded u/s 164 Cr.P.C., She has not whispered the name of the petitioner for any overt act. Petitioner is languishing in judicial custody since 27.08.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Additional District and Sessions Judge Vi-cum-Special Judge POSCO Act, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 06 of 2022.

(Sunil Kumar Panwar, J)

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