

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61758 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- KARAHGAR District- Rohtas

Laddu Kumar @ Shatrudhan Singh @ Shatrughan Kumar Son Of Manoj
Singh Village Chhatni P S Karaghar District Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this case, the petitioner is apprehending his arrest in connection with Kargahar P.S. Case No. 69 of 2023, registered for the offences under Sections 354 (A), 354 (B), 354, 323, 341, 504, 379 and 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner sexually assaulted the informant while she had been going to attend her sewing class. The petitioner tore the suit of the informant and when the villagers started assembling, petitioner fled away from the spot. When the informant and her mother went to the house of the petitioner, they were abused and assaulted by the family members of the petitioner.

4. Learned senior counsel appearing on behalf of the



petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. Allegation of outraging the modesty of the informant is completely false and fabricated. The informant has refused to undergo medical examination and torn clothes were not produced before the police. These facts create doubt over the case of the prosecution. Allegedly, a number of persons assembled at the spot but none of them were examined during investigation. Even the statement of the victim girl was not recorded under Section 161 of Cr.P.C. Except for the statement of the informant and her family members, there is nothing against the petitioner. In fact, what has happened in this case was that the informant was uprooting the gram crop from the field of the petitioner and when the petitioner objected and scolded her, this false case was lodged. The petitioner and the informant are agnates and there was previously dispute between them with regard to drainage and for this reason the present case has been lodged. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioner tried to outrage the modesty of the informant and tore her clothes.

6. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the lack of substantive material against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sasaram, Rohtas/court concerned in connection with Kargahar P.S. Case No. 69 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

balmukund/-

U			
---	--	--	--

