

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57980 of 2022**

Arising Out of PS. Case No.-76 Year-2021 Thana- MAHILA P.S. District- Samastipur

Lalit Rai @ Lalit Ray Son of Ram Chandar Ray R/V- Surhi Khardand, P.S.-  
Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-02-2023      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 323, 341, 354(B), 376, 511 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

Allegation against the petitioner is that he caught the informant's daughter (victim) aged about 16 years with wrong intention and tried to commit rape with her and when the informant went to the house of accused for complain then accused Lalit Rai assaulted the informant with an iron rod due to which she incurred injury over her finger.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears



from the complaint/F.I.R. that the date of occurrence as alleged in the F.I.R. is 30.03.2021 but the complaint petition has been filed on 20.04.2021 after delay of 21 days without giving explanation of delay. He further submits that due to admitted land dispute, the petitioner has falsely implicated in the present case. He further submits that both the parties are *pattidar* and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 18.08.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Samastipur Mahila P.S. Case No. 76 of 2021, with 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.

**(Rajesh Kumar Verma, J)**

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