

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62106 of 2023

Arising Out of PS. Case No.-310 Year-2023 Thana- SULTANGANJ District- Bhagalpur

AWADH BIHARI SHARMA @ CHHOTU SHARMA S/o- GYAN
SHANKAR SHARMA Village- Kamarganj Po- Jahangira Ps- Sultanganj
Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 506, 509, 354, 354(A), 354(D) of the Indian Penal Code.

3. The prosecution story, in short, is that, on 21.05.2023 at about 01:14 P.M., co-accused Chhotu Sharma, who is maternal uncle of the informant, assaulted the informant in the field near Sultanganj over bridge. It is further alleged that he used to call her to meet and threatened her of dire consequences if she would not come.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is totally false and based on concocted facts. The real fact is that on the day of occurrence, petitioner was on duty in Novho Career's Pvt. Ltd, where he is posted on the post of Executive (D2120). There is inordinate and abnormal delay of 26 days in lodging the FIR without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as there is delay in lodging the FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Sultanganj P.S. Case No. 310 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

