

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62633 of 2022

Arising Out of PS. Case No.-293 Year-2022 Thana- SABAUR District- Bhagalpur

Niraj Kumar Son of Sri Babu Lal Singh @ Babu Lal Mandal R/V- Raipura,
P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. A.K. Pandey, Sr. Adv.
	:	Mr. Deepak Kumar Sinha, Adv.
	:	Ms. Sukanya Bharti, Adv.
	:	Mr. Vijay Kumar, Adv.
For the State	:	Mr. Tarun Prasad Mandal, APP.
For the Informant	:	Mr. Vivekanand Vivek, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the State.

The petitioner seeks regular bail in connection with
Sabour P.S. Case No. 293 of 2022 (GR No. 3351 of 2022),
lodged under Sections 341, 323, 354(B), 447, 504 & 506 of the
Indian Penal Code.

As per prosecution case, the allegation against the
petitioner is to misbehave with the daughter of informant when
she came out of the house then the petitioner tried to commit
some wrong with her. Informant has complaint about this matter
to the father of petitioner but he did not obey to the instruction
of his father also.



Learned counsel for the petitioner submits that the said F.I.R. has not been filed by the victim rather it has been filed by the mother of victim. He further submits that both informant's family and petitioner's family belongs to same village, they are well known to each other. He also submits that petitioner and alleged victim are adult and they fall in love with each other, but when it was disclosed to all, then with a view to save her social prestige, her mother filed the police case, in which, petitioner is languishing in jail since 27.07.2022. Learned counsel submits that antecedent of petitioner is clean and he is ready to fulfill all the conditions whatsoever shall be imposed upon him. He further submits that all the sections, in which, case has been lodged are bailable except Section 354(B) of I.P.C.

Learned counsel for the State opposes the prayer for bail and submits that due to action of petitioner the daughter of informant is not in a position to lead her normal life.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application stands **rejected**.

Liberty is hereby granted to the petitioner that he may



renew his prayer for bail after framing of charge.

Trial Court is directed to release the petitioner on bail upon move for bail after framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

ritik/-

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

