

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64417 of 2022

Arising Out of PS. Case No.-255 Year-2021 Thana- SIRDALA District- Nawada

=====

Taukir Khan @ Taukir Alam Son of Dr. Haidar Khan R/V- Pawai Tota
Darapachak, P.S- Meskaur (Sirdala), Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 21-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Sirdala
P.S. Case No. 255 of 2021 registered for the offence under
Sections 341, 323, 376, 504, 506, 379, 354 and 34 of the Indian
Penal Code (for short 'I.P.C.').

The accused/petitioner is named in the F.I.R. and is in
custody since 18.07.2022.

The allegation against the petitioner is to assault
informant and also to take Rs. 2,00,000/- (Rupees Two Lakh) in



cash and golden jeweleries on pretext of providing a job, where subsequently the allegation of rape was also added to F.I.R.

Learned counsel appearing on behalf of the petitioner submitted that from the allegation, as set out through the written complaint of the informant, no allegation of rape/sexual assault was raised against this petitioner, subsequently, by way of improvement, the allegation of rape was raised by victim/informant while recording her statement under Section 164 of the Cr.P.C. It is also submitted that allegation was raised when marriage could not negotiated between the parties, for certain reasons. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no allegation of rape raised against this petitioner through F.I.R., which appears subsequent development while recording statement of victim/informant under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Sirdala P.S. Case No. 255 of



2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nawada/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

pooja/-

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

