

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75785 of 2023

Arising Out of PS. Case No.-142 Year-2020 Thana- SARMERA District- Nalanda

Surya Paswan @ Suraj Kumar @SURY Paswan Son Of Binod Paswan
Resident Of Village- Moti Bigaha, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Singh, Adv.

For the Opposite Party/s : Mrs.Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with G.R. No. 2765/2020 arising out of Sarmera P.S. Case No. 142 of 2020 dated 04.06.2020 registered for the offences punishable u/ss 341, 323, 354B read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant's wife had gone to attend the call of nature then the petitioner caught her wife, gagged her mouth and forcibly took away to the field, the informant saw the same when he had gone there to urinate.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The occurrence took place on 01.06.2020 but this case was lodged on



04.06.2020 and there is no explanation for this delay. It is further submitted that the informant and the petitioner are co-villager and there is drainage dispute between the parties. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda, Bihar Sharif in connection with G.R. No. 2765/ 2020 arising out of Sarmera P.S. Case No. 142 of 2020, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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