

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75035 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- MAHILA PS District- East Champaran

JUNGALI THAKUR @ JAGAALI THAKUR Son of Late Doma Thakur
Resident of Village- Ramgarhawa Tola, P.S.- Turkaulia, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2,Adv.

For the Opposite Party/s : Mrs.Pushpa Sinha,APP.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-04-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 66 of 2021 for the offence registered under Sections 354B, 448, 341, and 323/34 of the Indian Penal Code.

The allegation is regarding the petitioner along with the co-accused person, namely, Ram Niwas Raut having entered the house of the informant and tried to commit rape with her, however, upon alarm being raised, her son had arrived, resulting in the petitioner and other co-accused person fleeing away.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that there is a land dispute existing in between the parties and a compromise has already taken place in between them. It is further submitted that similarly situated co-accused person, namely, Ram Niwas Raut has already been granted the privilege of anticipatory bail, by a Co-ordinate Bench of this Court vide order dated 21.11.2022, passed in Criminal Miscellaneous No.36291 of 2022.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused person, who had already been granted



bail by a Co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran at Motihari in connection with Mahila P.S. Case No. 66 of 2021, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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