

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12517 of 2024

Arising Out of PS. Case No.-750 Year-2022 Thana- DHANARUA District- Patna

Rajnath Saw @ Tuntun Saw S/O Late Heera Sao R/O Village- Deeh Pali, P.O
And P.S- Paliganj, Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Prince Raj, Age- 20 years, D/o Rajnath Saw, R/o Village- Paliganj, P.O and P.S- Paliganj, Distt.- Patna, Presently Residing at Village- Ashrafganj, P.S- Dhanarua, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-06-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in Dhanarua P.S. Case No.
750 of 2022, instituted for the offences punishable under
Sections 341, 342, 376, 511/34 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner
entered the house of the informant and tried to commit rape
upon her and on hue and cry the petitioner fled away from the
place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. The petitioner is the father of the informant. It is a false case which has been instituted on the basis of a complaint case. The informant had eloped with her brother-in-law. There is no statement of the victim recorded under Section 164 of Cr.P.C. nor her medical examination was conducted. The petitioner is in custody since 24.08.2023 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhanarua P.S. Case No. 750 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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