

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12030 of 2024**

Arising Out of PS. Case No.-63 Year-2023 Thana- BELA INDUSTRIAL District-  
Muzaffarpur

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MD. NAUSAD S/O- LATE MD. TAJUDDIN R/O- VILLAGE- BELA  
CHHAPRA, P.S.- BELA, DIST.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Mrs.Bela Singh, Advocate.  
For the Opposite Party/s : Mr.Satyendra Prasad, APP.

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**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      22-02-2024                      Heard Mrs. Bela Singh, learned counsel appearing  
  
on behalf of the petitioner and Mr. Satyendra Prasad, learned  
  
APP for the State.

2. The petitioner seeks pre-arrest bail in connection  
with Bela P.S. Case No. 63 of 2023 registered for the offence  
punishable under Sections 341, 342, 504, 323, 354 and 354D of  
the Indian Penal Code.

3. As per the allegation made in the F.I.R., while the  
informant was on the way to attend school, the petitioner tried to  
outrage her modesty forcefully.

4. Learned counsel appearing on behalf of the  
petitioner submitted that the petitioner is innocent and he has  
falsely been implicated in the case. She further submits that



from very perusal of the F.I.R., no case under Sections 354 and 354D IPC is made out. The other sections of the Indian Penal Code are only ornamental in absence of any offence to have been committed by the petitioner. Hence, the petitioner deserves to be released on bail.

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

6. Considering the rival submissions made on behalf of the parties and the nature of allegation made against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or 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 Judicial Magistrate 1<sup>st</sup> Class, Muzaffarpur (East) in connection with Bela P.S. Case No. 63 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Purnendu Singh, J)**

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