

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19646 of 2024**

Arising Out of PS. Case No.-666 Year-2023 Thana- MADHEPURA District- Madhepura

Shambhu Paswan @ Shambhu Kumar Son of Surendra Paswan Village
Dudhaila Ward No.09 PS and District Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi
For the Opposite Party/s : Mr. Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 16-04-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 354(B), 354(A), 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the instant case by the informant. It is next submitted that petitioner and the informant are related. It is also submitted that informant alleges that on 28.06.2023 at about 11:30 AM while the informant was cutting grass in her field when the petitioner along with Sanjay Paswan came and



forcefully took her towards the bamboo clump and torn her clothes with bad intention, on alarm, nearby people came when the accused persons managed to escape. It is next submitted that in nature of allegation as alleged in the FIR, *prima facie*, no offence under Section 307 of the IPC is made out. It is next submitted that since there is a dispute relating to land in between the petitioner and the family of the informant, as such, the petitioner has been falsely implicated in the present case. It is also submitted that it absolutely does not stand to reason that in village at 11:30 AM, the petitioner would have even attempted to commit such an occurrence when the entire villagers are awake and are working in the field.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with



Madhepura P.S. Case No. 666 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. Accordingly, the present anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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