

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37106 of 2023**

Arising Out of PS. Case No.-158 Year-2022 Thana- LAXMIPUR District- Jamui

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JITENDRA DAS son of Late Kanhay Das Village- Najari PS- Laxmipur Dist-
Jamui. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-07-2024 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, 323, 307, 448,
354B, 379, 504 & 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with
other co-accused is said to have tried to commit rape upon the
informant while she was cooking food in her house. They also
torn the attire of the informant.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case. The allegation levelled against the
petitioner is not specific rather general and omnibus in nature.
As a matter of fact, petitioner and informant are Gotiyas and
present case has been lodged due to enmity and malicious



motive to harass the petitioner and his family members. It is further submitted that no independent witness has supported the prosecution case. No one has sustained injury, which is evident from the impugned order. Similarly situated co-accused, namely, Rajedeeep Kumar @ Rajdeep Das has already been released on bail by this Court vide order dated 20.07.2023 passed in Cr. Misc. No.31813 of 2023. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Laxmipur P.S. Case No. 158 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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