

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34033 of 2024

Arising Out of PS. Case No.-726 Year-2023 Thana- SIKARPUR District- West Champaran

Bisheshwar Kumar @ Bisheshwar Ram Son of Basudev Ram @ Basdev Ram
R/O Vill.- Daharwa tola, P.S.- Shikarpur, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Shikarpur P.S. Case No. 726 of 2023 registered under Sections
341, 323, 308, 379 and 504/34 of the Indian Penal Code.

3. As per F.I.R., on 05.09.2023 at about 2:00 PM, the
petitioner entered the house of the informant and tried to outrage
her modesty and also snatched the *Mangalsutra* from the neck
of the informant.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. Further submission is that due to
dispute over drainage, this false and concocted case has been
lodged. As per F.I.R., occurrence took place on 05.09.2023 but



the F.I.R. has been lodged after delay of five days i.e. on 10.09.2023 and there is no plausible explanation for the same. Petitioner claims clean antecedent.

5. Having considered the delay in lodging the F.I.R. coupled with the fact that petitioner claims clean antecedent, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 726 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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