

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38388 of 2024

Arising Out of PS. Case No.-347 Year-2023 Thana- PARIHAR District- Sitamarhi

Chhotelal Rai Son of Late Jagdish Rai R/O Vill.- Vishanpur P.S.- Parihar,
Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 28-06-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 376, 511 and 504
of the Indian Penal Code.

3. Learned counsel for the petitioner submits that co-
accused Ram Babu Rai had approached this Court seeking
anticipatory bail by filing Cr. Misc. No. 37927 of 2024 and the
same was allowed by an order dated 24.06.2024. It is further
submitted that petitioner is in custody since 06.03.2024 and he
is brother-in-law (Dewar) of the informant but then concealing
the said relationship, the instant FIR came to be instituted. It is
next submitted that from perusal of the allegation as alleged in
the FIR, it would manifest that the informant alleges that while
she along with her family members were sleeping in their house



when the accused persons including the petitioner entered and tried to outrage her modesty but on alarm when the people started gathering they fled away. It is also submitted that there is admitted dispute relating to property in between the brothers for which a Title (Partition) Suit No. 709 of 2022 has been instituted by Ram Babu Rai which is pending adjudication in the Court of the learned Sub-Judge, Sitamarhi. It is further submitted that in order to coerce the petitioner into submission, the instant false case of attempt to rape came to be instituted concealing the relationship.

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

5. Considering the facts aforesaid, the petitioner, above named, is directed to 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 learned Court below where the case is pending in connection with Parihar P.S. Case No. 347 of 2023.

(Satyavrat Verma, J)

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