

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42941 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- MEHSI District- East Champaran

CHHATU RAM @ MADHU KISHOR RAM S/O LATE JITU RAM R/O
VILLAGE- BAKHARI NAJIR, P.S- MEHSI, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Mehshi P.S. Case no.34 of 2024 registered for the offence punishable under sections 379, 354B, 341, 323, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while she was sleeping in her house, thinking her to be alone, the petitioner broke up the lock, entered the house and with wrong intention started to pull her hand. On the informant refusing the petitioner's moves, it is alleged that he tore her cloths and on the informant raising *hulla*, he escaped.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for oblique reasons. No such occurrence as alleged in the FIR has taken place. In spite of police station being at a distance of 6 k.m. from the so called place of occurrence, there is an unexplained delay of six days in lodging of the FIR as for an occurrence alleged to have taken place on 27.2.2024, information was given to the police and the FIR registered on 5.3.2024. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with the delay of six days in lodging of the same and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Mehsi P.S. Case no.34 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, East Champaran, Motihari, subject



to the conditions as laid down under section 438(2) of the Code
of Criminal Procedure.

(Partha Sarthy, J)

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