

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51686 of 2024

Arising Out of PS. Case No.-80 Year-2023 Thana- THAKRAHA District- West Champaran

Badar Chaudhary @ Badari Chaudhary, S/O Late Lakshan Chaudhary, R/O
Village- Rupa Tola, P.S- Thakraha, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Thakraha P.S. Case No. 80 of 2023 registered for the alleged offences under Sections 341, 323, 504, 506, 354 and 379 of the Indian Penal Code.

3. As per prosecution case, petitioner entered into the hut of the informant and abused and assaulted the informant and her family members and tried to outrage the modesty of the informant, her daughter and her daughter-in-law.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegation is not believable as it is not possible that the petitioner entered into the house of the informant



and tried to outrage the modesty of three ladies. From the FIR, it also appears that the husband of the informant was also present in the house. Learned counsel further submits that no injury has been found on the victims and allegation of outraging the modesty and snatching of *Mangalsutra* is completely false. There has been inordinate delay of eight days in lodging the FIR and there is no explanation for the same. The petitioner is having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and also considering the clean antecedent of the petitioner as well as possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned 1st Class Judicial Magistrate, Bagaha, West Champaran/ court concerned in connection with Thakraha P.S. Case No. 80 of 2023, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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