

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53725 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- MADHUBAN District- East Champaran

DHARMENDRA RAI @ DHARMENDRA RAY @ DHARMENDRA
KUMAR YADAV SON OF RADHESHYAM RAY RESIDENT OF
VILLAGE - BANJARIYA, P.S. - MADHUBAN, DISTRICT - EAST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Madhuban P.S. Case No. 296 of 2022 dated 07.07.2022 registered for the offence/s punishable u/ss 363, 354B, 328 and 379 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, on 05.07.2022 at about 7:30 PM, the petitioner along with two unknown miscreants came on his motorcycle and got the informant boarded on his motorcycle by tempting her. Thereafter, the petitioner got the informant inhaled some intoxicant substance due to which she became unconscious thereafter they looted Rs. 1,50,000/- and mobile phone from her. On 07.07.2022 at about 10.00 AM, the informant came in conscious



condition and found herself under Badka Kauraiya Bridge, thereafter villagers took her to hospital.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no eyewitness to the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, East Champaran, Motihari in connection with Madhuban P.S. Case No. 296 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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