

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61305 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- RAHUI District- Nalanda

=====

Mukesh Chauhan @ Mukesh Kumar Son of Vilash Chauhan Resident of
Village- Milkipar, P.S.- Rahui, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Simple Kumari D/O- Prem Chand Chauhan Resident of Vill- Milkipar, P.S.-
Rahui, District- Nalanda

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

=====

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

ORAL ORDER

2 10-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rahui P.S. Case No. 267 of 2024 dated 17.05.2024 registered for the offences punishable under Sections 341, 323, 324, 325, 307, 354A, 354 read with Section 34 of the Indian Penal Code and under Section 8 and 12 of the POCSO Act.

3. As per the prosecution case, when the informant was going to school, on the way the co-accused, Amir Lal caught hold of the informant and started doing indecent act, when the informant protested, the co-accused tried to assault her



and also threatened her. The informant came to home and informed her father, mother and brother about the incident upon which all of them went to the house of the co-accused, where all the co-accused persons along with the petitioner started abusing the informant's father. When the informant protested, the co-accused, Mithlesh Chauhan assaulted on the head with the handle of spade and the co-accused, Ishrail Chauhan assaulted on the head with iron rod. The petitioner attacked on the head of the informant's father head with stick due to which the informant's father fell on the ground and blood started oozing from his nose and mouth. The co-accused (Israil Chauhan assaulted the informant's brother on his arm with iron rod and the petitioner caught hold of hair of the informant's mother and threw her on the ground and started choking her with the intention of killing her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The specific allegation of assault is against the co-accused Mithlesh Chauhan. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner



is in custody since 09.06.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court of VIIth Addtitional District and Sessions Judge-cum-Special POSCO, Nalanda at Bihar Sharif in connection with Rahui P.S. Case No. 267 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shivam/-

U		T	
---	--	---	--

