

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67631 of 2024

Arising Out of PS. Case No.-151 Year-2022 Thana- TEGHRHA District- Begusarai

Indradeo Ram, (Male), aged about 54 years, S/o Late Bharat Ram, R/o Village- Pethiya Gachhi, Dularpur, P.S.- Teghra, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rohit Raj, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Teghra P.S. Case No. 151 of 2022 dated 05.06.2022 registered for the offences punishable under Sections 354, 506 and 306 of the I.P.C. in which final form has been submitted for the offences punishable under Sections 354A, 376/511 and 506 of the I.P.C.

3. As per the prosecution case, on 22.05.2022 at about 6.00 P.M., the informant went to the house of Suman Kumari, Ex-Mukhiya and the wife of the petitioner for doing her household work as usual but she was not present in the house rather her husband Indradeo Ram (petitioner) was present in the house. She started doing her work in the house, in the meantime,



Indradeo Ram (petitioner) finding her alone started molesting her and tried to commit rape on her. She assaulted him to save her life and ousted him from the room and locked herself inside the room. It is further alleged that bad smell like liquor was coming from the mouth of the petitioner. After some time, Suman Kumari came in her house then she opened the door. In the meantime, Indradeo Ram (petitioner) threatened her to kill if she opened her mouth to any one about the incident and also said the informant that he would give money and will get her married to someone. It is further alleged that after two days, she narrated the whole incident to Suman Kumari on which, she promised that she will talk to Indradeo Ram (petitioner). It is further alleged that thereafter she went under depression and wanted to kill herself and on 25.05.2022 at about 3.00 P.M., she went to Teghra Railway Station and slept on the railway track due to that reason her leg was amputated from the train and she also received head injury. Thereafter, the informant was brought to Dhiriti Jeevan Hospital, Begusarai, where her treatment was going on.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the occurrence took



place on 22.05.2022 and Suman Kumari, the wife of the petitioner, has immediately come to her house but she did not narrate the incident and kept mum and she was regularly working there till 25.05.2022 and she did not disclose the incident after being injured on Railway Track on 25.05.2022 till 02.06.2022 without any reasonable ground and she lodged the F.I.R. on 05.06.2022. It is further submitted that the informant has filed the present false case only with a view to put undue pressure, blackmail and to extort money as Suman Kumari, the wife of the petitioner, was Ex-Mukhiya and the petitioner was the Project Director in Industry Department, Government of Bihar, Patna. It is further submitted that after several attempts made by the I.O. for taking her statement but she refused to record any statement before the police on 02.06.2022 and her signature was only obtained on a blank paper. It is further submitted that without examination of the informant and her family members, the I.O. has submitted final report showing mistake of fact on 25.07.2023 before the concerned court. It is further submitted that after two years, on the direction of the S.P., Begusarai, the police officer recorded the statement of the informant under Section 164 of the Cr.P.C. on 23.05.2024 and after the long delay i.e., two years the said statement has got no



evidentiary value in the eye of law. It is further submitted that in paragraph no. 4 of the case diary, the informant's mother has stated that the informant used to work at the house of Suman Kumari for the last 9-10 months and neither she has knowledge about the incident nor the informant has disclosed about the incident to her and 25.05.2022 i.e., on the alleged date of occurrence, she went to the house of Suman Kumari for calling her due to some persons have come for the purpose of her marriage and thereafter she took the informant with her. The Gateman in paragraph no. 15 of the case diary has stated that on 25.05.2022 at about 12.30 P.M., one girl came on the track of the goodstrain and the driver of the said train stopped and ousted her from the track but when another train came she again came on the railway track and her leg was cut thereafter she was brought to Begusarai Hospital through Ambulance. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 12.06.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 C.J.M., Begusarai in connection with Teghra P.S. Case No. 151 of 2022 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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