

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67903 of 2024

Arising Out of PS. Case No.-278 Year-2024 Thana- DINARA District- Rohtas

Rudal Tiwari, Male, aged about 22 years, S/o Ayodhya Tiwari, Resident of Village - Tajpur PS - Dhansoi, District – Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ravi Kumar, Advocate

For the Opposite Party : Mr. Mohammad Sufyan, 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 Dinara P.S. Case No. 278 of 2024 dated 21.06.2024 registered for the offences punishable under Sections 341, 323, 324, 354, 376, 379, 499, 504, 506, 511 and 354C of the I.P.C.

3. As per the prosecution case, on 21.06.2024, the informant was coming from her village-Laheri to her Maik-Kusahian by bus and on the way, she stayed at a *Betel* shop under *Bariyarpur Petrol Pump Over Bridge*. It is further alleged that the shopkeeper said her that he would close his shop so she would go to her house, as soon as, she proceeded from there, a boy started chasing her and on being protested, he assaulted her



and he bit her on the cheek due to which, she received grievous injury. Thereafter, he tried to outrage her modesty but anyhow she fled away from there and she informed the police station through another person. He took away her *Mangalsutra* worth Rs. 30,000/, one bhar silver payal and cash of Rs. 10,000/- and fled away.

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 F.I.R. has been lodged against unknown and the petitioner is not named in the F.I.R. It is further submitted that as per the F.I.R., the petitioner did not establish physical relationship with the informant. Hence, no Section 376 of the I.P.C. is made out against the petitioner. It is further submitted that during the course of investigation, it has come in paragraph nos. 24 and 25 of the case diary that the victim has denied to be medically examined. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 22.06.2024.

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 Additional Chief Judicial Magistrate, Bikramganj (Sasaram) in connection with Dinara P.S. Case No. 278 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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