

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82711 of 2023

Arising Out of PS. Case No.-446 Year-2023 Thana- NARPATGANJ District- Araria

SANJAY BAHARDAR @ SANJATH KUMAR son of Deo Narayan
Bahardar Village- FARhi Koskapur Ps- Narpatganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Narpatganj P.S. Case No.446 of 2023 lodged under Section 376
of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner against whom there is allegation of
rape made by the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that only with a view to create unnecessary pressure for taking a
piece of land, this F.I.R. has been lodged.

5. Counsel further submits that the falsification of the
case shall transpire clear on the basis that commission of
offence has taken place on 30.06.2023 whereas the case has
been lodged on 31.07.2023 near about after one month.



6. Counsel further submits that the F.I.R. itself disclosed that the husband of the informant was not residing with her, but he has returned on 14.07.2023 even then, the case has been lodged.

7. Counsel further submits that petitioner is in custody since 01.08.2023 having clean antecedent and charge-sheet has already been filed in this case.

8. Learned counsel for the State opposes the prayer for bail and submits that the allegation of rape is there.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Narpatganj P.S. Case No.446 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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