

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81729 of 2023

Arising Out of PS. Case No.-626 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Amarjeet Paswan Son Of Rambilash Paswan Resident Of Village - Hasanpur,
Ward No.30, Police Station - Lakhisarai, District - Lakhisarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Lakhisarai P.S. Case No. 626 of 2023 lodged on 17.08.2023
under Sections 448, 323, 354A, 354B, 376, 511, 504 of the
Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner alleging therein that he attempted
to commit rape upon the sister of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner and the informant both are neighbor. The petitioner is
residing in front of the informant's house and the petitioner's



house has been constructed on *gair majarua* land and the informant with a view to get the said land vacated, lodged the present case with a false accusation. The petitioner is in custody since 18.08.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query from learned counsel for the petitioner that the charge has been framed or not, learned counsel for the petitioner submits that the charge has been framed.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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