

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80716 of 2023

Arising Out of PS. Case No.-82 Year-2022 Thana- TARARI District- Bhojpur

Rahul Ram aged about 26 years, male S/O Moti Ram Resident Of Village
Jethwar P.S. Tarari, District Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-01-2024 Heard Mr. Rajani Ranjan Pd. Singh, learned
counsel appearing on behalf of the petitioner and Mr. Dilip
Kumar No.1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Tarari P.S. Case No. 82 of 2022 registered for the offence
punishable under Sections 341 323, 307 and 354/34 of the
Indian Penal Code.

3. As per the allegation made in the FIR, the accused
persons named therein had assaulted the informant and had also
tried to outrage her modesty. Specific allegation of torning the
cloth of the informant is against one Manish Ram.

4. Learned counsel appearing on behalf of the
petitioner submitted that there is general and omnibus allegation
has been levelled against the petitioner as would appear from



the FIR. Petitioner has one criminal antecedent and no specific allegation has been levelled against the petitioner, so far as the present FIR is concerned, that in any manner he had assaulted the informant or had outraged her modesty. Specific allegation of outraging the modesty of the informant is against one Manish Ram. Other co-accused, namely, Moti Ram, Ravi Ranjan Kumar and Rohit Ram have been enlarged on pre-arrest bail by a co-ordinate Bench of this Court vide order dated 04.08.2023 passed in Criminal Miscellaneous No. 45692 of 2023.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submission made on behalf of the parties, as well as, from the perusal of the FIR it appears that general and omnibus allegation has been levelled against the petitioner and arising out of the same FIR, co-accused, namely, Moti Ram, Ravi Ranjan Kumar and Rohit Ram have been enlarged on pre-arrest bail by a co-ordinate Bench of this Court vide order dated 04.08.2023 passed in Criminal Miscellaneous No. 45692 of 2023. Petitioner has clean antecedent. I am of the opinion that petitioner has, *prima facie*, made out a case to be enlarged on pre-arrest bail.

7. The petitioner, above named, is directed to be



enlarged on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara, in connection with Tarari P.S. Case No. 82 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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