

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86921 of 2024

Arising Out of PS. Case No.-82 Year-2012 Thana- LAKHISARAI District- Lakhisarai

Bhukhan Paswan @ Manoj Paswan, S/o Rajeshwar Paswan, R/o Village-
Salonachak, P. S. - Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 13-12-2024 Heard learned counsel for the petitioner and Mr.
Harendra Prasad, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Lakisarai P.S. Case No. 82 of 2012 instituted for the offence under Sections 448, 376, 504/34 of the Indian Penal Code.

3. The case of the prosecution is that when the informant was alone at her house, the petitioner entered in her house, gagged her and committed rape.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is land dispute between the parties and both parties



are agnates. It is further submitted that after investigation the police has submitted final form and learned trial Court has taken cognizance under Section 354 and allied Sections. It is also submitted that in the restatement the informant herself has stated that the petitioner has only opened her cloth and has not committed any wrong act with her.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Lakhisarai P.S. Case No. 82 of 2012, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Lakhisarai, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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