

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13859 of 2024

Arising Out of PS. Case No.-495 Year-2019 Thana- SAKRA District- Muzaffarpur

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Ram Pravesh Rai Son of Late Mahadev Rai R/O VILL - MISHRAULIA,
TOLA, CHAKAULIA, P.S. - SAKARA, DISTT. - MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pramila Devi, Wife of Jai Kishun Rai, resident of village – Mishraulia Tola
-Chakaulia, P.S. - Sakra, District – Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh
For the Opposite Party/s : Mr.Raj Kishor Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

7 19-07-2024 Heard Mr. Shashi Bhushan Singh, the learned

counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks bail in connection with

Sakra P.S. Case No. 495/2019 dated 23.10.2019 (G.R. No.

119/19) instituted for the offences under Sections 323, 354,

376/511 of the Indian Penal Code and Section 12/13 of the

POCSO Act, 2012.

3. The accusation against the petitioner is of

having attempted to violate the modesty of 14 years old

daughter of the informant/opposite party no. 2.

4. It has been submitted on behalf of the

petitioner that the informant is the wife of his own cousin



with whom he is contesting a Title Suit. The houses of the petitioner and the informant are situated on the same parcel of land which is in dispute.

5. It also appears from the pleadings of the petitioner that his wife has filed a case against the husband of the informant under Section 376 (D) IPC.

6. Mr. Singh, the learned Advocate for the petitioner has informed this Court that the case lodged by the wife of the petitioner against the husband of the informant has ended in final report false.

7. The learned counsel for the petitioner submits that from the materials on record, it would appear that two brother, namely, the petitioner and the husband of the informant have been fighting a civil case and, therefore, cases are being filed against each other.

8. The petitioner is said to be in custody since 17.10.2023.

9. Considering the afore-noted facts, the petitioner, above, named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge -6th -cum-Special Judge, POCSO Act, Muzaffarpur in connection with Sakra P.S. Case No. 495/2019 (G.R. No. 119/19).

(Ashutosh Kumar, J)

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