

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44407 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- LAKHAURA District- East Champaran

Ram Niwash Rai Son of Inardeo Rai Resident of village - Laxmipur, P.S.-
Lakhaura, District - East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with Lakhaura P.S Case No. 45 of 2024 registered for the offences punishable under Sections 341, 323, 448, 354(B), 385, 506, 34 of the I.P.C and 67 of I.T Act.

3. As per First Information Report, petitioner on the point of knife, molest the informant and took objectionable photographs of the informant, prepared her video and the same is viraled on social media.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that petitioner is quite innocent, and has not committed any offence, much less, the offences are alleged against him, and that he is simply a victim of false implication in the case due to oblique and ulterior motive. It is also submitted that petitioner is in judicial custody since 23.04.2025



and he has got two criminal antecedents against the petitioner as stated in paragraph no. 3 of the bail petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR and impugned order, it appears that there is inordinate delay of 37 days in lodging the FIR. In impugned order nothing stated about the said video and photographs. Petitioner is in custody since 23.04.2025.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, East Champaran, Motihari in connection with Lakhaura P.S Case No. 45 of 2024, subject to condition that if any similar nature of FIR is lodged against the petitioner then it will be treated as misuse of privilege of bail against the petitioner then, informant or prosecution is at liberty to file cancellation of bail against the petitioner.

(Ramesh Chand Malviya, J)

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