

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15692 of 2016

Arising Out of PS.Case No. -424 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

1. Ranjeet Kumar Son of Harendra Sah Resident of Village-Ahmad Nagar,
P.S.-Ghorasahan, District-East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-05-2016 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and the learned
A.P.P. for the State.

The petitioner is languishing in jail custody since
23.02.2016 in a case registered for offences punishable under
Sections 147, 342, 376, 380, 323, 504, 506 and 34 of the

The prosecution case is that on 13.12.2015 at 6 P.M.
the accused persons including the petitioner came at the door of
the informant and caught hold the informant and started assaulting
and accused Mumtaj committed rape. Other accused persons
outraged the modesty of the informant and took away cash of Rs.
5000/- and ornaments.



It has been submitted by the learned counsel for the petitioner that the petitioner is innocent, having committed no offence and allegation upon him is only catching the hand of the informant, whereas the main accused Mumtaj has since been granted the privilege of bail by the learned Court below. He further submits that many cases are pending between them, showing that they are on inimical terms with each other. He further submits that the petitioner and the informant are next door neighbour and the petitioner has been falsely implicated.

However, learned counsel for the informant submits that the petitioner is named in the F.I.R. and along with the other accused persons had also assaulted the informant and she lives in perpetual threat of her life at the hands of the petitioner and other co-accused and hence, opposes the prayer for bail.

Learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the main accused has already been granted bail by the learned court below and the petitioner is charge sheeted and undertakes not to abscond and there is no chance to tamper with the evidence, the above named petitioner, Ranjeet Kumar is directed to 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 Sub Divisional Judicial Magistrate, Sikarhana, Dhaka, East Champaran in connection with Ghorasahan P.S.Case No. 424 of 2015.

However, it is made clear that the petitioner will appear before the learned Court below as and when required and in case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the Court concerned.

It is also made clear that the petitioner, who is involved in a case of similar nature in earlier, if he is found to be involved in case of similar nature in future, the learned Court below will be at liberty to cancel the bail bonds of the petitioner without being prejudiced with this order.

(Nilu Agrawal, J)

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