

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 16500 of 2021**

Arising Out of PS. Case No.-75 Year-2020 Thana- SURSAND District- Sitamarhi

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JATAN SADA Son of Kanu Sada Resident of Village - Radhaur, P.S.-
Sursand, Distt.- Sitamarhi.-843331

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sanjeev Kumar, Advocate

For the Opposite Party/s : Ms Suman Kumari Singh, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 29-10-2021 This case has been taken up today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, *APP*) appearing for
the State of Bihar.

The petitioner seeks bail in Sursand Police Station
(for brevity, *PS*) Case No 75 of 2020 instituted for the offence
punishable under Sections 341, 323, 504, 506, 354/34 of Indian
Penal Code.

The informant has alleged that while she had gone out
of the house, she was caught hold by two persons with the
intention of outraging her modesty.

Learned counsel submits that since 07.10.2020,



petitioner is in jail. First Information Report, at best, levels a case of simple assault. The petitioner has no criminal antecedent and there is subsisting dispute between the parties, who are neighbours.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Pupri, Sitamarhi in connection with Sursand PS Case No 75 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.



Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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