

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33939 of 2020

Arising Out of PS. Case No.-131 Year-2020 Thana- HISUWA District- Nawada

Raju Chauhan, aged about 25 years (Male), S/o Chanerak Chauhan @ Chandrika Chauhan, R/o Village - Hadsa tola Jitanbigha Beldari, P.S.- Hisua, District, Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nasrul Hoda Khan, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 19-03-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Nasrul Hoda Khan, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner apprehends arrest in connection with Hisua PS Case No. 131 of 2020 dated 21.04.2020, instituted under Sections 341, 323, 457, 376, 511, 379/34 of the Indian Penal Code.

4. The allegation against the petitioner and his brother is that they entered the house of the informant at night after breaking the door with bad intention and tried to molest her and when she raised cry, they had run away after taking gold chain, earring of the informant and rupees ten thousand cash and had



also threatened and abused the informant.

5. Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated. It was submitted that the parties are agnates and the informant has relationship of *Bhabhi* with the petitioner. Learned counsel submitted that due to family rivalry he has been falsely implicated. It was submitted that no such incident took place and the allegation of snatching of gold chain, earring and cash is cosmetic. It was further submitted that the petitioner has no criminal antecedent.

6. Learned APP submitted that as per the allegation, there was attempt to molest and the petitioner and he had also snatched the gold chain, earring as also rupees ten thousand cash.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada, in Hisua PS Case No. 131 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and



further (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall cooperate with the Court/police/prosecution. Any violation of the terms and conditions of the bonds or failure to cooperate shall lead to cancellation of his bail bonds.

8. It shall also be open for the prosecution to bring any violation of the foregoing conditions of bail by the petitioner, to the notice of the Court concerned, which shall take immediate action on the same after giving opportunity of hearing to the petitioner.

9. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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