

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5516 of 2021**

Arising Out of PS. Case No.-97 Year-2020 Thana- DHARHARA District- Munger

RAVI KUMAR SINGH @ BABUA Son of Sri Rajendra Singh @ Bhun
Singh Resident of Village- Bhalar, P.S.- Dharhara, District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukul Jee, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-04-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Dharhara P.S. Case No. 97 of 2020 registered
for the offences punishable under Sections 341, 323, 354B and
509 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per
the prosecution story, when the informant was doing work in her
house, the petitioner came at her house searching for her
husband and when she told that he is not present in the house



then the petitioner tried to outrage her modesty but anyhow the informant managed to escape from the house.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to dispute over right to way. It is further submitted that the occurrence is said to have taken place on 08.06.2020 whereas the F.I.R. has been lodged on 11.06.2020. Learned counsel submits that the petitioner is in custody since 24.07.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case and the submissions of the learned counsel for the petitioner saying that the parties are neighbours and they had a dispute over right to way and because of the said dispute, the petitioner has been falsely implicated in this case alleging that he had an intention to disrobe the informant, the petitioner has remained in jail in connection with the present case since 24.07.2020, the occurrence is said to have taken place on 08.06.2020 whereas the F.I.R. has been lodged on 11.06.2020, investigation against the petitioner is complete and at this stage there is no submission on behalf of the State that release of the



petitioner is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Vishwajeet Kumar, learned Judicial Magistrate, 1st Class, Munger in connection with Dharhara P.S. Case No. 97 of 2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal



antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

