

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21844 of 2021

Arising Out of PS. Case No.-977 Year-2011 Thana- COMPLAINT CASE District- Jamui

NARAYAN PANDIT @ DEONARAYAN PANDIT Son of Bahadur Pandit
Resident of Village - Bamdah, P.S. - Chandra Mandih, District - Jamui.

... .. Petitioner

Versus

1. The State of Bihar
2. Sunaini Besra Wife of Sukar Pandit Resident of Village - Bamdah, P.S. - Chandra Mandih, District - Jamui

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 17-01-2022 Supplementary affidavit has been filed on behalf of the petitioner stating therein that due to inadvertence, in prayer portion of the petition in place of Complaint Case No. 977 (C)/2011, it has wrongly been typed as Complaint Case No. 977 (C)/2021, which requires correction.

Permission is granted.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Complaint Case No. 977 C/2011 registered for the offences punishable



under Sections 323, 504, 376 of the IPC.

As per the complaint petition, on 28.07.2011 at about 5 PM, the complainant was raped by the petitioner and two others.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that complainant is own aunt of the petitioner. Learned counsel further submits that it appears from the complaint petition as well as records of the case that complainant was not medically examined as yet. Petitioner is in custody since 05.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Complaint Case No. 977 C/2011, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. 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.

(Rajesh Kumar Verma, J)

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