

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41890 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- TEKARI District- Gaya

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1. RAMUN SINGH SON OF LATE SAKALDEO SINGH R/O VILLAGE - ALALPUR, P.S.- TEKARI, DISTRICT- GAYA
 2. AKHILESH SINGH SON OF RAMUN SINGH R/O VILLAGE - ALALPUR, P.S.- TEKARI, DISTRICT- GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-11-2022 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Sections 447, 448, 341,323, 308, 354, 379, 504, 506/34 of the Indian Penal Code.

The petitioners are said to have tried to outrage the modesty of the informant and on protest made by the husband of the informant, both are subjected assault.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the petitioner No.1 has also lodged a case against the informant



and her husband bearing F.I.R. No. 69 of 2022. He further submits that the alleged occurrence is alleged to have committed on 03.02.2022 whereas the F.I.R. has been lodged on 06.02.2022 after lapse of three days without any plausible explanation, which itself falsifies the prosecution version. He further submits that no such occurrence as alleged in the F.I.R. has ever taken place. He further submits that petitioner No.2 happens to be a retired and respectable Army officer. Hence, the petitioners may be granted the privilege of anticipatory bail.

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

Considering the facts and circumstances of the case, let the, above named, petitioners in the event of arrest of surrender before the court below within a period of four weeks from the date of order be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Tekari P.S. Case No. 68 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C. as also with the following conditions:-



(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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