

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44196 of 2022

Arising Out of PS. Case No.-361 Year-2021 Thana- JAGDISHPUR District- Bhojpur

RAM BRIKSH SINGH Son of Late Ramdhari Singh Resident of Mohalla -
Bishan Tola Ward No.- 12, Jagdishpur, P.S.- Jagdishpur, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-11-2022 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 a period of four weeks from today.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 354, 354B,
379, 427, 498A of the Indian Penal Code.

According to prosecution case, the allegation against
the petitioner is that on the alleged day of occurrence the
informant found that the lock of the Godrej and dressing table of
the informant has broken and when she inquired about the same,
the present petitioner thrown his daughter-in-law at the ground
and with intention to outrage her modesty and pressed the breast
of the informant. Further the presnet petitioner said to the



informant that her husband does not live with her so, he will play the role of her husband and again tried to outrage her modesty. The 'Bhaisur' and 'Gotini' of the informant assaulted the brother and his wife of the informant. They also tried to kill the informant and the petitioner and other co-accused persons took away the ornaments of the informant by broken the lock of the Godrej.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that in fact the petitioner is the father-in-law of the informant. He further submits that for the same occurrence the informant has already filed an F.I.R. in the year 2017 itself and stated that she has sold the all her ornaments for treatment of her daughter. He further submits that it appears from the present F.I.R. that the incident as alleged in the F.I.R. was took place on 30.08.2021 and same incident took place on 17.09.2021 but the present F.I.R. instituted on 18.09.2021 and stated in the present F.I.R. that the accused persons took away the ornaments of the informant, when the informant sold her all ornaments for treatment of her daughter in the year 2017 which create doubt about the allegation as alleged in the present F.I.R.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is serious allegation against the petitioner in the present F.I.R. and petitioner carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory 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 Court below where the case is pending in connection with Jagdishpur P.S. Case No. 361 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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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