

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2106 of 2023**

Arising Out of PS. Case No.-148 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Panna Lal S/o Late Shiv Lal R/v- Manpur, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Rana Randhir Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER**

2 29-04-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with Buniyadganj P. S. Case No. 148 of 2022, registered for the offences punishable under Sections 376, 354(B) and 506 of the Indian Penal Code.

The prosecution case as emerges from the FIR is that the father-in-law of the informant has ravished her when she was alone in her matrimonial house.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is 70 years old father-in-law of the informant. He also submits that trial is



going on and the informant daughter-in-law has already been examined and she has not supported the allegation against the petitioner as alleged in the F.I.R. In her examination-in-chief, she has deposed that she was outraged and there is no deposition regarding committing rape upon her and in cross-examination, even allegation of outraging the modesty has been denied by the informant.

He further submits that the petitioner has been languishing in jail since 23.05.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, particularly the deposition of the informant, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of



Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. 10th Additional Sessions Judge, Gaya, in connection with Buniyadganj P. S. Case No. 148 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of



the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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