

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15736 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- DARPA District- East Champaran

PAPPU YADAV @ PAPPU KUMAR Son of Chulhai Rai @ Chulai Yadav
R/V- Pipra, P.S- Darpa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-05-2023 No one appears on behalf of the petitioner, although
the learned APP for the State is present.

The petitioner apprehends his arrest in connection with Darpa P.S. Case No. 131 of 2022 instituted under Sections 341, 323, 308, 354(A), 504/34 of the Indian Penal Code lodged on 26.1.222 by the informant Devkali Devi.

As per the prosecution story, one Devkali Devi has given a written application to the officer in-charge Darpa, Police Station stating that on 24/10/2022, her neighbor Pappu Yadav has constructed the gate of his house. On opposition, the accuseds started abusing and assaulted her with using plastic rope on her neck. On scream, when her mother came to save her, accused Chulhai Rai assaulted her mother and tried to outrage her modesty. The informant's sister came to save them, accused Rajpati Devi, Sobha Kumari and Pinki Kumari armed



with *lathi* assaulted her sister and mother. Accordingly the FIR.

The allegation against the petitioner is that in the assault on the informant's side he put a towel around the neck of the informant.

Considering the fact that he do not have criminal antecedent and ultimately will have face the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Darpa P.S. Case No. 131 of 2022 to the satisfaction of learned Judicial Magistrate 1st Class, Raxaul at Motihari, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner will make himself available to the police as and when required in course of investigation;

(iii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /
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