

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23205 of 2023

Arising Out of PS. Case No.-40 Year-2021 Thana- MAHILA PS District- Jamui

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Munna Kumar @ Robin Raj S/O- Dashrath Ravidas @ Dasrath Das R/o
Village- Madhopur P.S.- Sikandra Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niranjan Parihar, Advocate

For the Opposite Party/s : Mr.Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
03.01.2023 in connection with Jamui Mahila P.S. Case No.
40 of 2021, F.I.R. dated 16.08.2021 registered for the offence
punishable under Sections 420,376,504,506 of IPC.

3. Allegation against the petitioner is that he
committed rape upon the informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has
falsely been implicated in the present case. In fact the
petitioner was in love with the victim and the victim is a
married lady and she is major and her husband is living



outside the State and the victim has asked the petitioner to come to her home and when the other family members of the victim saw the petitioner alongwith the victim then the present FIR has been instituted and the allegation as allged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.01.2023.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits the statement of the victim under Section 164 Cr.P.C. was recorded in which she has categorically stated that the petitioner has tried to commit rape upon her.

6. Considering the aforesaid facts, 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 learned C.J.M., Jamui in connection with Jamui Mahila P.S. Case No. 40 of 2021,with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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