

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34034 of 2023

Arising Out of PS. Case No.-655 Year-2022 Thana- WAJIRGANJ District- Gaya

Sanjeet Kumar @ Fanfan Yadav Son Of Mahendra Prasad @ Mahendra
Yadav Resident Of Village- Kusumhar, Ps- Wazirganj, Distt- Gaya.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 26-06-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Wazirganj
P.S. Case No. 655 of 2022 registered for the offence under
Sections 341, 323, 354, 379, 504/34 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in
custody since 06.01.2023.

The allegation against the petitioner is to outrage the
modesty of informant alongwith other co-accused persons while
she was on duty. It is further alleged that cash of Rs. 15,000/-



was also snatched from her purse by accused persons including this petitioner.

Learned counsel appearing on behalf of the petitioner submitted that there are series of litigation between the parties and out of said previous enmities, the present false implication was raised. It is submitted that the mother of petitioner also lodged a case against informant and her family members which was registered as Wazirganj P.S. Case No. 738 of 2022. While concluding the argument, it is submitted that petitioner found involved in four more criminal cases, where he is on bail in two cases, and, moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the bail of petitioner submitted that petitioner on different occasion outraged the modesty of informant being a widow as informant refused his advancement. It is submitted that the allegation is also of threatening and pressurizing the informant as not to go to the Court or police station for complaint rather to compromise the matter.

Considering the facts and circumstances as mentioned above and by taking note of nature of allegation, which is very



much general and omnibus in the background of previous enmities, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 06.01.2023, accordingly, petitioner above named, is directed to be released on bail in connection with Wazirganj P.S. Case No. 655 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Gaya/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C. with further condition:-

(I) That petitioner shall not interact with informant/victim during the trial in any manner or to influence any witness, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical



ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.

(Chandra Shekhar Jha, J)

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