

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40482 of 2023

Arising Out of PS. Case No.-187 Year-2022 Thana- KHIJARSARAI District- Gaya

SUNIL YADAV son of Late Rajeev Yadav @ chadhuri Yadav Village-
Mahmadpur Ps- Khizersarai dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-07-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Khizersarai P.S. Case No. 187 of 2022 for the offence under Sections 341, 323, 354 and 379 of the I.P.C. lodged on 27.05.2022 by the informant, Lalmuni Devi.

As per the prosecution story, the allegation is against the petitioner of trying to outrage the modesty of the informant as also assault and snatching of the ornament. Accordingly, the F.I.R.

It is the case of the petitioner that the allegation is of 24.05.2022, the written report submitted on 27.05.2022 and the F.I.R. has been sent on 01.06.2022 without any explanation of delay. Further, submission is that he do not have criminal antecedent and the last submission is that he will not be seen



anywhere near either the informant or her family members.

Learned APP opposes the prayer.

Considering the fact that there is delay in lodging of the F.I.R., no injury and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,-IV, Gaya, in connection with Khizersarai P.S. Case No. 187 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(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 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) 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;

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

(vi) he will not have any contact with the lady or her family members failing which the State shall take steps for cancellation of his bail.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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