

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54869 of 2023

Arising Out of PS. Case No.-21 Year-2021 Thana- KHAJAULI District- Madhubani

1. Saroj Kumar Das, Son Of Dev Kumar Das, Resident Of Village-Behata, P.S.- Khajauli, Distt- Madhubani
2. Bina Devi, Wife Of Ravindra Ram @ Raj Lal Ram, Resident Of Village-Behata, P.S.- Khajauli, Distt- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

Ms. Nitu Kumari, Adv.

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-08-2023 1. Heard learned counsel for the Petitioners and
learned APP for the State

2. Petitioners apprehend their arrest in connection with
Khajauli P.S. Case No. 21 of 2021 dated 08.02.2021 registered for
the offence(s) punishable under Section(s) 363 and 366(A) of the
Indian Penal Code.

3. The main submissions advanced by petitioners'
counsel are that initially the petitioners were named in the FIR but
during investigation the victim in her statement recorded under
Section 164 Cr.P.C. did not make any allegation against these
petitioners and mainly on that basis petitioners were not
chargesheeted and the same was accepted by the concerned
Judicial Magistrate but during trial on the basis of prosecution



evidences, petitioners have been summoned under Section 319 of Cr.P.C. and the co-accused Krishna Kumar Ram is already on bail and petitioner No. 1 is a very young person and petitioner No. 2 is a lady and they have fair and clean antecedent.

4. Learned APP appearing for the State has opposed the prayer for bail.

5. Considering the above submissions and mainly the facts that the petitioners have been summoned during the trial under Section 319 of Cr.P.C. and the co-accused Krishna Kumar Ram, who was charge-sheeted, is on bail, in my opinion, in the said circumstances, petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Khajauli P.S. Case No. 21 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J.)

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