

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61787 of 2023**

Arising Out of PS. Case No.-222 Year-2022 Thana- BAUNSI District- Banka

HARIKISHORE ROY SON OF LATE DEGAN ROY RESIDENT OF  
VILAGE CHAUKITETAR, POLICE STATION PORAIYA HALT,  
DISTRICT GODDA JHARKHAND

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      13-10-2023                      Heard Mr. Ajay Mukherjee, learned counsel for the  
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Bounsi P.S. Case No. 222 of 2022 for the offence under sections 341, 323, 354, 379, 504 and 506 of the I.P.C. lodged on 13.09.2022 by the informant, Devimay Hausda.

3. As per the prosecution story, the allegation is that the petitioner not only tried to outrage her modesty, upon protest, also tried to assault and snatched a silver chain. Accordingly the FIR.

4. Learned counsel for the petitioner submits that due to village rivalry, he has been implicated which manifest from



the FIR itself. Further, the allegation is of 11.09.2022 whereas the FIR came to be lodged on 13.09.2022 and he do not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the learned counsel for the petitioner and going through the FIR and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. 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) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/Court Concerned, Banka, in connection with Bounsi P.S. Case No. 222 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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.

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

**(Rajiv Roy, J)**

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