

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64698 of 2023**

Arising Out of PS. Case No.-33 Year-2020 Thana- MAHILA P.S. District- Lakhisarai

Chutar Singh @ Ramcharitar Singh Son of Late Kamleshwari Singh @ Kamo Singh, Resident of Village- Anandpur Pawai, P.S.- Surajgarha, Dist- Lakhisarai

... .. Petitioner

Versus

The State Of Bihar.

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      18-10-2023                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Lakhisarai Mahila P.S. Case No. 33 of 2020 registered for the offences punishable under Sections 341, 323, 354, 354(A), 147, 149, 504, 509 and 506 of the Indian Penal Code. He has got no criminal antecedent.

3. As per the prosecution story, on 15.11.2020 at 11:00 am, while the informant was cutting paddy and her goat was grazing in the field, this petitioner untied the she-goat and started abusing and also misbehaved with her. Upon alarm, her father, who was also working in the adjacent field, came then all the accused persons started abusing and assaulted him with iron rod and *lathi*. They also assaulted and misbehaved with informant's

*bua* who came to save them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the present case is a counter version of Suryagraha P.S. Case No. 217 of 2020 which was lodged by the brother of the present petitioner against the family of the informant. It is further submitted that the petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein it is the submission of the learned counsel for the petitioner that the present case has been lodged purposely to harass the petitioner because the brother of the petitioner had lodged a case being Suryagraha P.S. Case No. 217 of 2020 against the family of the informant, further submission that during pendency of the investigation, the petitioner has fully cooperated by presenting before the Investigating Officer on notice under Section 41 Cr.P.C. and that the petitioner has no criminal antecedent, in the circumstances, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in

connection with Lakhisarai Mahila P.S. Case No. 33 of 2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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