

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72195 of 2023

Arising Out of PS. Case No.-1071 Year-2022 Thana- SASARAM NAGAR District- Rohtas

1. Kashi Prasad Son Of Jagdish Seth Resident Of Mohalla-Takia, Ward No.-2, Post-Sasaram, Police Station-Sasaram(N), District-Rohtas.
2. Samu Prasad Seth Son Of Kashi Prasad Resident Of Mohalla-Takia, Ward No.-2, Post-Sasaram, Police Station-Sasaram(N), District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jagjit Roshan

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. Learned counsel for the petitioners seeks
permission to withdraw this application with regard to petitioner
no. 1.

3. Permission is granted.

4. Accordingly, this application with regard to
petitioner no. 1 is dismissed as withdrawn.

5. Now, this application is being heard only with
regard to petitioner no. 2.

6. Heard learned counsel for the petitioner and
learned A.P.P. for the State.



7. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 341, 448, 354(B), 504/34 of the Indian Penal Code.

8. As per the prosecution case, the petitioner is said to have outraged the modesty of the informant.

9. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the present case is counter blast of Complaint Case No. 492 of 2014, which was filed by the petitioner no. 1 against the husband of the informant and the said case is at the verge of judgment. Hence, after thought this false and concocted case has been registered against the petitioners. He further submits that no person have sustained injury in the present case. Petitioner no. 1 has two criminal antecedents and petitioner no. 2 has no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for anticipatory bail.

11. Considering the facts and circumstances of the case, let the above named petitioner no. 2, be released on bail, in the



event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sasaram (Nagar) P.S. Case No. 1071 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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