

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74857 of 2022

Arising Out of PS. Case No.-432 Year-2021 Thana- HARNAUT District- Nalanda

Kamlesh Ram Son Of Bachchu Ram R/O Village- Pachaura, P.S.- Harnaut,
District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Harnaut P.S. Case No. 432/2021 registered for the offences punishable under Sections 147, 341, 323, 354, 379, 504 and 506 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on 16.09.2021 while she was at her door of the house petitioner and other accused persons attacked on house and started abusing her. On protest Bachhu Ram threatened to withdraw the case lodged by her. She alleged that all the accused persons assaulted her by lathi stick causing swelling in the thumb of right hand.

Learned counsel for the petitioner submits that



petitioner has been falsely implicated in this case. Learned counsel submits that the victim girl has returned back and gave her statement under section 164 Cr.P.C. The learned court below recorded her age as 19 years. She deposed that she went on her own with Suraj Kumar.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the fact and circumstances of the case, considering that the victim girl has come back and has made statement under Section 164 Cr.P.C. in which she has recorded her age as 19 years and also deposed that she went on her own with Suraj Kumar, the brother of the petitioner, therefore, this Court directs that in the event of his arrest or surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 432 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(Rajeev Ranjan Prasad, J.)

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