

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.653 of 2023

Arising Out of PS. Case No.-127 Year-2020 Thana- JAMOBABAZAR District- Siwan

1. Virendra Yadav @ Virendra Raut S/o Late Baban Yadav R/o village- Jagdishpur, P.S.- Jamo Bazar, Distt- Siwan.
2. Abhimanyu Kumar @ Abhimanu Kumar S/o Prasuram Prasad R/o village- Shampur, P.S.- Jamo Bazar, Distt- Siwan.
3. Prasuram Prasad @ Parsuram Prasad S/o Late Nagina Prasad R/o village- Shampur, P.S.- Jamo Bazar, Distt- Siwan.
4. Chandan Kumar S/o Birendra Prasad R/o village- Shampur, P.S.- Jamo Bazar, Distt- Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Jamo Bazar P.S. Case No. 127 of 2020 registered for the offences punishable under Sections 447, 341, 323, 324, 307, 379, 354, 504, 34 of the Indian Penal Code. Petitioner Nos. 1 & 4 have no criminal antecedent, however, Petitioner Nos. 2 & 3 have one criminal antecedent.

As per the prosecution story, on 26.06.2020 at about 06:00 A.M. when the informant's daughter was cleaning, all the FIR named accused persons including these petitioners came



there, dragged her and tried to outrage her modesty. It is also alleged that they brutally assaulted the daughter of the informant by sharp-edged weapon as a result of which she became unconscious. It is further alleged that the petitioner no. 1 and accused Prince Kumar assaulted the informant and her husband. It is also alleged that Chandan Kumar (petitioner no. 4) and Parshuram Prasad (petitioner no. 3) took away gold chain worth Rs.45,000/- from the informant's house.

Learned counsel for the petitioners submits that the petitioners are innocent and has falsely been implicated in this case. It is submitted that the injuries are simple in nature.

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

Having regard to the facts and circumstances of the case, there being a delay of five days in lodging of the FIR, the injuries reported are said to be simple as per Annexure '3 Series', petitioner nos. 1 and 4 have no criminal antecedent, petitioner nos. 2 and 3 are accused in one petty matter at the instance of their gotiya in which they are on bail, this Court directs release of the petitioners above named on bail in the event of their arrest or surrender within a period of four weeks from today in connection with Jamo Bazar P.S. Case No. 127 of



2020 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Siwan 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 petitioners and in case at any stage it is found that the petitioners have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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