

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7479 of 2024

Arising Out of PS. Case No.-14 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champanan

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SUSHIL RAO S/O PRAHALAD RAO R/o vill-Sirisiya, P.S-Bhairoganj,
Distt.-West Champanan

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Manisha Khushi, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh,

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bagaha (Mahila) P.S. Case No. 14/2022 registered under Sections 341, 323, 354, 376, 504 and 506/34 of the Indian Penal Code lodged on 16.02.2022 by the informant, Rani Kumari

3. As per the prosecution story, the informant alleged that one Pappu Singh on the false assurance of marriage established physical relationship. Later, she came to know that he is getting married elsewhere. Upon reaching his place, allegation is that the accused persons assaulted and this include one Uday Pratap Rao and Baldev Rao, who took put a gun on the



chest of the informant's mother and asked her to leave. So far as this petitioner is concerned, allegation is that he pushed the informant's aunt on the ground and tried to press her chest with his leg. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only the FIR itself would show that in a zeal to implicate every family members, roles have been assigned. He further submits that the main allegation is against Pappu Singh who established physical relationship on false promise of marriage and infuriated by his getting marriage elsewhere, the family members have been roped in. In any case, the allegation against the petitioner is that he tried to press the chest of the informant's son. He is ready to cooperate in the investigation and do not have criminal antecedent.

5. Learned APP for the State opposes the prayer for bail stating that the role has been assigned to him.

6. Taking into account the submissions put forward by the learned counsel for the parties as also that main allegation is against co-accused, Pappu Singh, this Court is inclined to grant him privilege of bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Bagaha, West Champaran in connection with Bagaha (Mahila) P.S. Case No. 14 of 2022, subject to condition 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/her 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 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 his 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 the bail bonds.

8. Before parting, this Court would like to put on record its word of appreciation for Ms. Manisha Khushi, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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