

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10860 of 2024

Arising Out of PS. Case No.-1315 Year-2022 Thana- GAYA COMPLAINT CASE District-
Gaya

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Niranjan Kumar Son of Jugesh Prasad @ Yogesh Singh Resident of Village
Uparahauli, P.S. Paraiya, District- Gaya at present resident of Mohalla
Dhaniya Bagicha, P.S. Delha, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushma Kumari Wife of Ramniwas Kumar, daughter of Late Kailash Prasad
Resident of Village, Parariya, P.S. Tekari, District- Gaya, Bihar, At present
resident at Vinay Gali, near outside of Gaya Railway Station, P.S. Delha,
District-Gaya, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena, Adv.
For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP
For the Complainant : Mr.Ashok Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 30-08-2024 Heard learned counsel for the petitioner, learned counsel
for the O.P. No.2 and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 354, 354(A), 354(B),
323, 504, 376 and 498(A) of the IPC.

3. As per the prosecution case, the petitioner is alleged to
have forcibly made physical relationship with the complainant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No such occurrence in the manner as



alleged, has ever taken place. He has been falsely implicated in this case due to ulterior motive. It is submitted that charge has been framed against the petitioner and there is no allegation against him to tamper the witnesses. The petitioner has no criminal antecedent and has been languishing in custody since 31.10.2023.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for bail.

6. Considering the facts and circumstances of this case and the period of custody, the above named petitioner is directed to be enlarged on bail 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 Complaint Case No.1315/2022, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in



any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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