

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13757 of 2024

Arising Out of PS. Case No.-485 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Lallu Kumar @ Amar Kumar @ Amaar Kumar S/o Sriram Ray R/o vill -
Jamira, P.S. - Arah Muffasil, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-03-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Arah (Muffasil) P.S. Case No. 485/2023 instituted under Sections 380, 457/34 of the Indian Penal Code lodged on 15.11.2023 by the informant, Monu Kumar.

3. As per the prosecution story, the informant alleged that on the fateful day when he was sleeping along with the family, this petitioner along with two unknown persons entered and tried to outrage the modesty of the his sister-in-law. When alarm was raised, this petitioner took out a country made pistol, threatened and also took away the chain and cash. Accordingly, the FIR.

4. Learned counsel for the petitioner submits it is counter-blast to Arah (Muffasil) P.S. Case No. 484 of 2023



registered earlier to the present case in which the allegation of assault under sections 341, 323, 325, 307, 379, 504, 506, 34 of the Indian Penal Code was lodged by the petitioner's brother. He submits that there were injuries on the petitioner's side and to save his skin, the present case.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions put forward by the parties, case and counter case, the case of the petitioner being earlier, he do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Arah (Muffasil) P.S. Case No. 485/2023 to the satisfaction of learned A.C.J.M.-VII, Arah, Bhojpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) 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 the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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