

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21401 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- SIMULTALLA District- Jamui

1. CHANDAN GOSWAMI @ CHANDAN KUMAR S/O THAKUR GOSWAMI R/O VILLAGE- DUMAKWA, TELWA BAZAR, P.S- SIMULTALLA, DISTT.- JAMUI.
2. PANCHU SINGH @ NARENDRA SINGH S/O BAIJNATH SINGH R/O VILLAGE- DUMAKWA, TELWA BAZAR, P.S- SIMULTALLA, DISTT.- JAMUI.
3. RENU DEVI W/O PAPPU GOSWAMI R/O VILLAGE- DUMAKWA, TELWA BAZAR, P.S- SIMULTALLA, DISTT.- JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-04-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Simultalla P.S. Case No. 104 of 2023 for the offence under Sections 341, 342, 323, 324, 307, 353, 427, 506 and 34 of the I.P.C. lodged on 26.08.2023 by the informant, Mahendra Prasad Singh.

3. As per the prosecution story, the informant who is a Block Education Officer, Jhajha alleged that an information came that the School Teacher, Ranjeet Das has been locked in the School and when he reached there, found



that the villagers were mishandling him. Upon query, the Officer was also assaulted. Later, on the basis of identification of Ranjeet Das, the name of this petitioner cropped up. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the School used to remain close, complaint was made, which resulted into their assault, for which, counter-case has also been lodged. The further submission is that without accepting the allegation, the petitioners want to contribute Rs. 2,000/- each (totalling Rs. 6,000/-) for the up-gradation of the library of the School through Demand Draft issued by the local State Bank of India Branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the School after checking the credentials.

5. Learned APP opposes the prayer stating that they entered the School and confined the School Teacher to a room and also assaulted the informant who is a Block Education Officer.

6. Taking into account the fact that there is no injury on the side of the informant, the petitioners do not have criminal antecedent and one of them is a lady, this



Court is inclined to grant privilege of anticipatory bail to the petitioners subject to payment of Rs. 2,000/- each (totalling Rs. 6,000/-) as undertaken by the learned counsel for the petitioners which shall go to the Primary School, Dumakwa, Jamui through its Principal.

7. It is made clear that the amount so deposited by the petitioners (Rs. 6,000/-) shall be used exclusively for the purchase of books for the library and receipt there has to be maintained by the Principal of the School for inspection as and when required.

8. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Jamui in connection with Simultalla P.S. Case No. 104 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show their bona fide;



(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners 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;

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

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

9. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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