

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20807 of 2024

Arising Out of PS. Case No.-321 Year-2023 Thana- NAVINAGAR District- Aurangabad

Monu Kumar Son Of Bajrangi Prasad @ Bajrangi Prasad Gupta Resident Of
Village - Tandwa Road Nabinagar, P.S. - Nabinagar, District - Aurangabad
(BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Advocate
For the State : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Pintu Kumar Patel, learned counsel for
the petitioner and Mr. Damodar Prasad Tiwary, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Nabinagar P.S. Case No. 321 of 2023, F.I.R.
dated 02.08.2023 for the offences punishable under Sections
376, 120(B), 149, 341, 323 and 504 of the Indian Penal Code.

3. According to prosecution case, on the pretext of
providing the job of teacher (Government) the petitioner has
established physical relationship with the informant and also
took Rs.6,00,000/- through cash and by online mode for
providing such job.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that without any medical evidence the present case has been instituted under Section 376 of the Indian Penal Code has been instituted against the petitioner. He further submits that after filing of the present FIR, the informant has filed a compromise petition before the learned Court below stating therein due to some financial dispute she has filed the false case against the petitioner and she has further stated in the compromise petition that she is not willing to pursue the matter in the future.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



A.C.J.M., Aurangabad in connection with Nabinagar P.S. Case No. 321 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

