

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27812 of 2024

Arising Out of PS. Case No.-972 Year-2022 Thana- MADHEPURA District- Madhepura

SONU KUMAR S/O RAM CHANDRA SAH R/O VILLAGE- BHIRKHI
WARD NO. 22, P.S AND DISTT.- SAHARSA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Madhepura P.S. Case No. 972 of 2022 registered under Sections 341, 323, 324, 307, 448, 379, 504, 506, 34 of the Indian Penal Code lodged on 11.10.2022 by the informant, Shanti Devi.

3. As per the prosecution story, the informant alleged that the accused persons came and when his son Chandan Kumar opened the gate, gave knife blow to Chandan while Ravi Shankar assaulted by iron rod causing injuries. When the informant went to save Chandan, at the instance of Ramchandra Shah, Roshan gave knife blow to her beside snatching of the chain which is attributed to Mira Devi and wife of Ravi Shankar. So far as this petitioner is concerned, the allegation is



that he along with Ravi Shankar tried to outrage the modesty of the lady (informant). Accordingly the FIR.

4. Learned counsel for the petitioner submits that allegation of assault is on Roshan and Ravi Shankar, only to implicate the family member and a role has been assigned to him, is a student of 22 years and they concede that he has criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he was also a part of the unlawful assembly.

6. Taking into account the fact that the allegation has been come on record which is mainly against Roshan and Ravi Shankar, FIR lodged and he will be facing the trial, this Court is inclined to grant him privilege of anticipatory 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 CJM Madhepura in connection with Madhepura P.S. Case No. 972 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/relative 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 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;

(iv) 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.

(Rajiv Roy, J)

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