

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26257 of 2024

Arising Out of PS. Case No.-530 Year-2023 Thana- VAISHALI District- Vaishali

1. Niraj Kumar Son Of Lalit Ram, Village- Bhagwanpur, Rati Ps- Vaishali, Dist- Vaishali.
2. Sulekha Kumari Daughter Of Lalit Ram, Village- Bhagwanpur, Rati Ps- Vaishali, Dist- Vaishali.
3. Chandani Kumari Daughter Of Lalit Ram, Village- Bhagwanpur, Rati Ps- Vaishali, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-05-2024 Heard Mr. Akash Kumar Mishra, the learned
counsel for the petitioners and Mr. Jagdhar Prasad, the learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Vaishali PS Case No. 530 of 2023, FIR dated
02.12.2023, registered for the offences punishable under
Sections 447, 341, 323, 307, 354(B), 379, 504 and 506 read
with Section 34 of the Indian Penal Code.

3. According to prosecution case, the petitioners
along with co-accused persons came at the door of informant
and started abusing her and upon her protest co-accused person



namely, Lalit Ram assaulted her by means of *hasuli* which hit on her lip and cheek causing bleeding. It is further alleged that co-accused persons also assaulted the family members of the informant, misbehaved with her and also snatched her gold chain, *mangalsutra* and *dholna*.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and as per allegation in the FIR that petitioner no. 1 has torn the blouse of the informant and no such occurrence has taken place and they have been made accused on that ground and all the accused persons are family members of the petitioners.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent and there is no specific allegation against them, let the petitioners, above-named, in the event of their arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of



the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, where the case is pending in connection with **Vaishali PS Case No. 530 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

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

(ii). If the petitioners tamper 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 trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioners. 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)

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