

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34888 of 2024

Arising Out of PS. Case No.-817 Year-2023 Thana- NAWADA District- Nawada

Madan Kumar @ Chhote Son of Chandradeep Mahto @ Chandradeo Prasad
Resident of Village- Dadpur, P.S- Akbarpur, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s
341/323/354(A)/504/506/376/511/34 of the IPC.

3. As per the prosecution case, allegation against the
petitioner is of sexually assaulting the informant's daughter.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. No such occurrence in the manner as
alleged, has ever taken place. He has been falsely implicated in
this case due to ulterior motive. Learned counsel for the
petitioner submits that the charge has been framed against the
petitioner, which is mentioned in the supplementary affidavit.



The petitioner has one criminal antecedent and has been languishing in custody since 28.02.2024.

5. Learned APP for the State opposed the prayer for bail.

6. Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/Successor Court in connection with Nawada (Town) P.S. Case No.817/2023, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his



bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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