

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40460 of 2024

Arising Out of PS. Case No.-188 Year-2019 Thana- GHOSI District- Jehanabad

Santu Kumar Son of Late Rambali Yadav, Residence of Village- Machra
Bigha PS- Ghosi, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-07-2024 Heard Mr. Nityanand Neeraj, learned counsel

 appearing on behalf of the petitioner and Mr. Suresh Prasad

 Singh, learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Ghoshi P.S.Case No.188 of 2019 registered for the offences

punishable under Sections 457, 380 and 354/34 of the Indian

Penal Code .

3. As per the allegation made in the FIR, the petitioner

along with co-accused, Randhir Kumar and 2-3 others entered

into the house of the informant and forcibly tied his hands and

feet and outraged the modesty of his sister-in-law and

committed theft of the jewelry and cash amounting to

Rs.40,000/-.

4. Learned counsel appearing on behalf of the



petitioner submitted that due to political rivalry between the parties, as well as, both the parties are neighbour, the petitioner has been implicated in a false case, therefore, the allegation can not be sustained. The mother of the petitioner is Ward member. The learned counsel further submitted that to get rid of the criminal prosecution, the petitioner has instructed that he can compensate some amount to the informant.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of the allegation made against the petitioner and the fact that the informant is neighbour of the petitioner and due to jealousy and the political rivalry, the allegation has been made against the petitioner. It is informed that the petitioner desires to make payment of some amount, as would be determined by the district court that will be one of the conditions for accepting the bail bond of the petitioner. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned CJM, Jehanabad/concerned court in connection with Ghosi P.S.Case No.188 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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