

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43053 of 2024

Arising Out of PS. Case No.-217 Year-2023 Thana- DESARI District- Vaishali

Ranjan Kumar Son of Devendra Ray R/O Vill.- Mahipura, P.S.- Jandaha,
Mahisor, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 06-12-2024 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/ 406/ 379, 377/ 504/ 34 of IPC.

3. As per allegation, the petitioner gave assurance to the informant that he will marry her and then took her away to Indore, Madhya Pradesh for changing her sex and also made unnatural physical relation with her. Thereafter, he refused to marry the informant and when informant went to petitioner's house, all family member abused and assaulted her and snatched her golden chain.

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 offence as alleged has ever taken place. All the allegations leveled against the petitioner are false and fabricated. It is further submitted that petitioner along with his brother-in-law was working at Trichur, Tamilnadu and he was not present at the time of alleged occurrence. Petitioner has been falsely implicated in this case because he refused to perform marriage with informant. From para 9 and 10 of the case diary, it is clear that the during investigation, it is revealed that informant is male child and studying in local primary school. Charges has been framed against the petitioner on 23.08.2024. The petitioner has no criminal antecedent and he is under custody since 13.02.2024.

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

6. Considering the facts and circumstances of this case and the fact that charge has been framed against the petitioner, 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/the Successor Court, in connection with Desari (Chandpura O.P.) P.S. Case No. 217 of 2023 with 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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