

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41924 of 2024

Arising Out of PS. Case No.-488 Year-2023 Thana- HILSA District- Nalanda

Ravindra Kumar S/O Shobhi Prasad R/O Village-Nabgadh, P.S. Hilsa, Distt-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitish Kumar, Advocate

For the Opposite Party/s : Mr.Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Hilsa P.S. case No. 488 of 2023 instituted for the offences under Sections 341, 323, 354, 307, 504, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that one Sudhansu Kumar has tried to outrage the modesty of the niece of the informant aged about 9 years while she had gone to school. On objection being raised by the niece of the informant, Sudhanshu Kumar and one, Pankaj Kumar hit her on the nose. Thereafter, when the informant came to learn about the said incident, he rushed to the house of Sudhanshu Kumar, whereafter, he was assaulted by accused including the petitioner by various means.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that it was not the petitioner who assaulted the informant and his relatives rather, the informant had brutally assaulted the petitioner with *farsa*, as a result of which he sustained grievous injuries upon his head, but the informant, in order to cover-up his misdeeds had instituted the present FIR. No specific overt act is alleged against the petitioner. There is case and counter case between the parties and the case of the petitioner was lodged first. Charge-sheet has been submitted in this case. Learned counsel further submitted that on 07.06.2024, the case has been committed to the court of Session for trial. Learned counsel further submitted that on 02.03.2024, the cognizance has been taken against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.11.2023 and has four criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hilsa P.S. case No. 488 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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