

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53659 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- NATWAR District- Rohtas

Kamta Singh S/o Late Laxman Singh R/o Village- Natwar, P.O.- Natwar, P.S.-
Natwar, Dist.- Rohtas, Bihar- 802218

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Shekhar, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehend his arrest in connection with Natwar P.S. Case No. 48 of 2024 for the offence registered under sections 341, 342, 323, 307, 354B, 379, 504, 506 and 34 of the Indian Penal Code lodged on 23.02.2024 by the informant Hila Lal Singh.

3. As per the prosecution story, the informant alleged that Kamta Singh abused the informant's daughter-in-law and upon objection, he outraged her modesty. Later, this petitioner assaulted the informant and his son, causing injury on the head, leg and back. As the villagers assembled, he escaped. This followed the F.I.R.

4. Learned Counsel for the petitioner submits that



there is case and counter case, the case of the petitioner being earlier to it having being lodged on 21.02.2024. Further, though the allegation of assault against this petitioner, the injuries have been found to be simple in nature as per the order dated 18.04.2024 of the learned Sessions Judge. The last submission is that he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that it was this petitioner who firstly abused and then tried to outrage the modesty.

6. Taking into account the submissions put forward by the parties as also the fact that there is omnibus allegation, case and counter case, this petitioner do not criminal antecedent and is an aged person, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Bikramganj (Rohtas) at Sasaram in connection with Natwar P.S. Case No. 48 of 2024 subject to



condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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