

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81168 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

1. Satish Jha Son Of Bhotan Jha Resident Of Village - Roshi, P.S. - Bochahan, District - Muzaffarpur
2. Sushil Jha Son Of Bhotan Jha Resident Of Village - Roshi, P.S. - Bochahan, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024 Heard Mr. Alok Kumar Alok, learned counsel for the petitioners as well as Ms. Madhuri Lata, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bochahan P.S. Case No. 220 of 2023, F.I.R. dated 05.05.2023 for the offences punishable under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, both the petitioners along with other accused person entered into the house of the informant and tried to outrage the modesty of the informant and also snatched her gold chain and mangalsutra and fled away.

4. Learned counsel for the petitioners submits that



petitioners are innocent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and no such occurrence has been taken place as alleged in the F.I.R. He further submits that it appears from the F.I.R that the petitioners have not committed anything wrong with the informant and they have made accused in the present case with ulterior motive.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that there is direct and specific allegation against these petitioners and apart from that the petitioner no. 1 has clean antecedent but petitioner no. 2 carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Muzaffarpur (East) in connection with Bochahan P.S. Case No. 220 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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