

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85134 of 2023

Arising Out of PS. Case No.-351 Year-2023 Thana- MAHUA District- Vaishali

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Chandan Kumar S/o Rajendra Rai R/O Village-Jalalpur, Gangti, P.S-Mahua,
District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 16-04-2024 Heard Mr. Ranjeet Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Ajit Kumar, learned APP
appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Mahua P.S. Case No.351 of 2023 registered under Sections
341, 323, 324, 354, 379, 504, 506/34 of the Indian Penal Code
and Sections 3/4 of the D.P. Act.

3. As per the allegation made in the FIR, the petitioner
along with named accused went to the house of the informant
and assaulted her (informant) and her family members and also
outraged her modesty.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner has already been granted benefit under Section 41 of the CrPC. The petitioner has been made accused in the present case due to land dispute between the parties, who are agnates. The petitioner has clean antecedent.

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

6. Considering the nature of allegation made in the FIR, as well as, the fact that both the parties are on inimical terms due to land dispute and the allegation against the petitioner is that of outraging the modesty of his cousin sister-in-law, which is not substantiated by any material, the petitioner, above named, is directed to be released on anticipatory bail, in the event of his/her 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No.351 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The District Court is directed to verify the criminal



antecedent of the petitioner, as stated in paragraph no.3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no.3, this order will lose its force automatically.

(Purnendu Singh, J.)

Mantreshwar/-
Ashishsingh/-

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