

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84412 of 2024

Arising Out of PS. Case No.-214 Year-2024 Thana- TARAPUR District- Munger

1. Charitra Yadav Son of Late Basu Yadav Village -Afjal Nagar (Khudiya) PS -Tarapur, Distt- Munger
2. Anoj Kumar @ Anoj Yadav Son of Charitra Yadav Village -Afjal Nagar (Khudiya) PS -Tarapur, Distt- Munger
3. Neeraj Kumar Son of Sahindra Yadav Village -Afjal Nagar (Khudiya) PS -Tarapur, Distt- Munger
4. Rajeev Kumar son of Sahindra Yadav Village -Afjal Nagar (Khudiya) PS -Tarapur, Distt- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate
For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard Ld. counsel for the petitioners and Ld. APP for the State.

2. The petitioners seeks anticipatory bail, apprehending their arrest, in connection with Tarapur PS. Case No.-214 of 2024 dated 11.08.2024, registered for the offences punishable under Sections 329(4), 126(2), 115(2), 76 and 351(3) of Bhartiya Nyaya Sanhita and Section 3/4 of Witch Craft Act.

3. As per allegation, accused persons came to the house of the informant and assaulted the informant and outraged the modesty of her *Gotani*.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the present case has been filed as counter blast to Tarapur P.S. Case No. 213 of 2024 lodged by accused side for the similar offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the petitioners No. 1 and 2 have two criminal antecedent and petitioners No. 3 and 4 have one criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. A.C.J.M.-III, Munger, in connection with Tarapur P.S.



Case No.-214 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any additional criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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