

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1922 of 2024

Arising Out of PS. Case No.-499 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Pramod Kumar s/o Shri Gundeshwar Sah, Village- Athari, W. No-1, Ps- Runni
Saidpur, Dist- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshuman Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-04-2024 Heard Mr. Anshuman Singh, the learned counsel
for the petitioner and Mr. Choubey Jawahar, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Runni Saidpur PS Case No. 499 of 2023, FIR
dated 10.10.2023, registered for the offences punishable under
Sections 341, 323, 354(B) and 504 of the Indian Penal Code.

3. According to prosecution case, the petitioner in an
intoxicated state entered into the house of the informant and
forcibly tried to commit illegal act with her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case and the allegation levelled in the
FIR is false and fabricated and the petitioner has not committed



any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that informant has not mentioned the time and date of the occurrence in the FIR and it appears from the case diary that no one has seen the occurrence and witnesses have stated that that the victim has informed the incident and petitioner and victim are co-sharers, and no such occurrence has taken place and due to some previous dispute the present false case has been instituted against the petitioner.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent, informant has not mentioned the time and date of the occurrence and it appears from the case diary that no one has seen the occurrence, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi, where the case is pending in connection with **Runni Saidpur PS Case No. 499**



of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

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

(ii). 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.

(iii). And further condition that the trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioner. 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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