

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86626 of 2023

Arising Out of PS. Case No.-172 Year-2023 Thana- WARISLIGANJ District- Nawada

Munna Sharma @ Munna Kumar Sharma Son of Late Ganesh Thakur @
Ganesh Sharma Village- Motalichak, P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-01-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Warisaliganj P.S. Case No. 172 of 2023 for the offence under sections 341, 323, 354, 354(A), 379, 504 and 34 of the I.P.C. lodged on 06.04.2023 by the informant, Guriya Devi.

3. As per the prosecution story, the informant alleged that she being the ward member used to do public work but the petitioner was having bad intention and on the particular day when she was out to attend the call of nature, he tried to outrage her modesty. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that both are rivals inasmuch as now the petitioner is the ward member while the informant is the ex ward member and by way of



conspiracy, he has been implicated. He do not have criminal antecedent and is ready to cooperate in the investigation.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also that he do not have criminal antecedent and ready to cooperate in the investigation, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nawada, in connection with Warisaliganj P.S. Case No. 172 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 his 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 his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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