

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6247 of 2025

Arising Out of PS. Case No.-154 Year-2024 Thana- BHAWANIPUR District- Purnia

Dharampal Kumar @ Dharampal Kumar Sah S/O Prahlad Sah Resident of
Village- Teliyari, Ward No.- 08, P.S- Bhawanipur, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bhawanipur P.S. Case No. 154 of 2024 registered for the alleged offences under Sections 127(1), 115(2), 117(2), 109, 303(2), 352, 351(2), 76, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, petitioner entered into the house of informant finding her alone and tried to outrage her modesty and when the informant resisted, she was assaulted with *lathi* by the petitioner. The petitioner also tore her clothes. When the old mother-in-law of the informant came for her rescue, the petitioner and his co-accused brother assaulted her with *lathi*.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place in the background of the fact that the husband of the informant has entered into an agreement of sale with the petitioner and took Rs. 3,10,000/- as advance towards consideration money for sale of a plot of land. Now, the husband of the informant does not want to transfer the land and petitioner has lodged the complaint case as well as title suit in connection with the said agreement and the act and conduct of the husband of the informant. The injury report of the victims shows the injury of the informant is simple whereas one of the injuries of the mother-in-law of the informant is grievous and it is fracture at Distal Daiphysis of ulna (Lt. forearm). The petitioner is in custody since 02.09.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the non-serious nature of injuries of the victims and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner



above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea/court concerned in connection with Bhawanipur P.S. Case No. 154 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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