

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10705 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. Barelal Kumar Son of Rajesh Sah Resident of Village - Makaspur Ward No.12, P.S. - Cheriya Bariyarpur, District - Begusarai
 2. Praveen Sah @ Praveen Kumar Son of Rajesh Sah Resident of Village - Makaspur Ward No.12, P.S. - Cheriya Bariyarpur, District - Begusarai
 3. Rajesh Sah Son of Late Bindeshwari Sah Resident of Village - Makaspur Ward No.12, P.S. - Cheriya Bariyarpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No 1, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 12-05-2025 Heard Mr. Randhir Kumar No.1, learned counsel for the petitioners and Mr. Ramchandra Sahni, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Cheriya Bariyarpur P.S. Case No. 69 of 2024 for the offence under sections 323, 341, 307, 427, 379, 354(B), 504, 506/34 of the I.P.C. lodged on 30.03.2024 by the informant, Rani Kumari.

3. As per the prosecution story, the informant alleged that while she was returning along with her husband after purchasing articles, the petitioners stopped, abused and further



assaulted her husband and also outraged her modesty and took away gold ornament/cash, she called police on 112 and her husband was taken to the hospital which followed the FIR.

4. Learned counsel for the petitioners submit that they are agnates, have land dispute, exaggerated FIR was there, though he admits that one of the petitioners has criminal antecedent. The injury has been found to be simple in nature. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioners intend to contribute Rs.5,000/- each (total Rs.15,000/-) to the informant, Rani Kumari.

5. Learned APP opposes the prayer submitting that allegation of assault/outraging the modesty and also snatching of ornament/cash are there.

6. Taking into account the submissions of the parties as also that injury has been found simple in nature, FIR stands lodged, they shall be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.5,000/- each (total Rs.15,000/-) to the informant, Rani Kumari, by way of Demand Draft issued by the local State Bank of India through the Trial Court checking her credentials.



7. Let the petitioners 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 A.C.J.M., Manjhaul, Begusarai, in connection with Cheriya Bariyarpur P.S. Case No.69 of 2024 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/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

8. Paragraph 3 shows that only the petitioner no.2 is accused in Khodawanandpur P.S. Case No.310/22 and the other two petitioners (petitioners no.1 and 3) have clean antecedent. The Court to confirm the same and if the statement is found to be wrong, the order against him/them shall become infructuous.

(Rajiv Roy, J)

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