

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16714 of 2025**

Arising Out of PS. Case No.-251 Year-2024 Thana- UJIYARPUR District- Samastipur

Md Sitare @ Monu S/O Md. Abdul Jabbar @ Md. Jabbar @ Abdul Jabbar  
R/O Lakhnipur Deal, P.O- L.M. Patti, P.S- Ujiyarpur, Distt.- Samastipur,  
Bihar-848101.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      07-05-2025                      Heard Mr.Piyush Kumar Pandey, learned counsel for  
the petitioner and Mr.Humayou Ahmad Khan, learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Ujiyarpur P.S. Case No.251 of 2024, dated  
17.09.2024 registered for the offences punishable under  
Sections 126(2),115(2),76,303(2),352,351(2),351(3),3(5) of the  
Bhartiya Nyay Sanhita.

3. Allegation against the petitioner is that he grabbed  
the hair of the informant and abused her and had also beaten her  
with fists and slaps and forcefully removed her dupatta from her  
body.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has clean antecedent. He has falsely



been implicated in the present case. Although there is specific allegation against the petitioner that he has assaulted to the informant and her family members but there is no injury report available on the record which suggests that anyone has received any injury and apart from that, the petitioner had already filed a complaint case bearing Complaint Case No. 359/2024 against the informant and her family members and apart from that, from a bare perusal of the FIR as well as complaint petition which was filed by the petitioner which suggests that due to admitted land dispute the present occurrence had taken place.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is case and counter case, and the injury report is not available on the record which suggests that no one has injured in the present occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Ujiyarpur P.S. Case No.251 of



2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

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

(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 court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below 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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