

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16458 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- RAMNAGAR District- West Champaran

Vivek Yadav Son of Shatrudhan Yadav Resident of Village- Mudila Ward No.-
2, P.S.- Ram Nagar, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Antima Devi @ Antim Devi Wife of Rajesh Chaurasiya Resident of Main Road, Narainapur, Ward No. 7, P.S.- Ramnagar, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Advocate
For the Opposite Party/s	:	Ms. Asha Kumari, APP
For the Informant	:	Mr. Anand Kishore Choudhary, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 18-06-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Ramnagar P.S. Case No. 338 of 2024 instituted for the offences under Sections 329(2), 126(2), 115(2), 76, 351(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner along with other co-accused persons came at the door of the informant in a drunken state, abused and assaulted the informant and her minor daughter.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Learned counsel further submitted that from perusal of the FIR itself it appears that no any root cause of the said occurrence has been assigned and the occurrence took place due to intoxicated condition of the petitioner. Learned counsel further submitted that petitioner had no intention to molest the informant or her daughter. Learned counsel further submitted that victim has refused to undergo medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.07.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has supported the contents of the FIR.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Ramnagar P.S. Case No. 338 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses or threatens the informant or her family members, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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