

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20527 of 2025

Arising Out of PS. Case No.-401 Year-2024 Thana- RAMPUR District- Gaya

Laldeo Yadav @ Laldev Kumar S/o Dev Krit Yadav R/o Mohalla- Pakshim,
Police Line, Lalu Nagar, PS- Rampur, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Advocate
For the State : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rampur P.S. Case No. 401 of 2024 for the offence under Section 329(4), 126(2), 115(2), 74, 117(2), 109(1), 352 and 351(2) of the Bhartiya Nyaya Sanhita, lodged on 13.08.2024 by the informant, Dimpal Devi.

3. As per the prosecution story, the informant, a married lady alleged that the petitioner working in Border Security Force, while on leave came to her house and tried to outrage her modesty, upon protest she was assaulted and when the grandmother-in-law came to rescue, the petitioner gave knife blow on her head causing injury. As Amar Kumar, her brother-in-law came to rescue, he too was assaulted. This led to the F.I.R. and the injured were shifted to Jai Prakash Narayan Hospital.



4. Learned counsel for the petitioner submits that both are neighbours, due to misunderstanding, the occurrence took place, the injuries though are there, those on the fingers has been found to be grievous but the injury on the head has been found to be normal (simple). The further submission is that he do not have criminal antecedent and without accepting the allegation or outcome of the petition the petitioner intends to pay towards treatment Rs.10,000/- each in the name of informant Dimpal Devi as also the grandmother-in-law Rajkumari Devi (totaling Rs.20,000/-) by Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that despite being the Border Security Force personnel, he tried to intimidate the informant side and assaulted though he concede that the injury has been found to be normal (simple).

6. Taking into account the aforesaid facts as also that the petitioner do not have criminal antecedent, he is a Border Security Force personnel, the injury has been found to be simple in nature so far as head is concerned, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- each in the



name of informant Dimpal Devi and the grandmother-in-law Rajkumari Devi (totaling Rs.20,000/-) by the Demand Draft issued by the local branch of State Bank of India and the receipt has to be submitted before the Trial Court and after checking credentials to be handed over to the informant.

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) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Rampur P.S. Case No. 401 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative 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/her bail bond by the Trial Court itself;

(iii) 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;

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

(Rajiv Roy, J)

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