

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24538 of 2025

Arising Out of PS. Case No.-633 Year-2024 Thana- WAJIRGANJ District- Gaya

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1. Abid Khan @ Md. Abid Khan S/o Late Rahman Khan R/o Village- Tarwan Tola Bhaluahi, PS- Wazirganj, Distt- Gaya
 2. Jahit Khan @ Jahid Hussain S/o Md. Salim Khan @ Jahid Hussain R/o Village- Tarwan Tola Bhaluahi, PS- Wazirganj, Distt- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Wazirganj P.S. Case No. 633 of 2024 for the offence under sections 126, 115(2), 303(2), 110, 74 and 3(5) of the B.N.S. Act lodged on 28.08.2024 by the informant, Musrat Praveen.

3. As per the prosecution story, the informant alleged that due to some dispute between her husband and Abid Khan, though it was compromised, on the fateful day, as she was returning from her parent's home and went to the market, the accused persons surrounded her, abused and outraged her modesty beside taking away the gold ornament. This led to the



FIR.

4. Learned counsel for the petitioners submit that both the side have suffered injuries, later good sense prevailed upon the parties and they amicably settled it but with ulterior motive, the FIR has been lodged. It is further submitted by the petitioners that since they belong to the same area, without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioners on their own would like to contribute Rs. 5,000/- each (totalling Rs. 10,000/-) towards the medical assistance of the injured through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that despite compromise, they tried to outrage the modesty and allegation of snatching of gold ornament is also there.

6. Taking into account the submissions of the parties as also that there is case and counter-case, though the injury is there, the opinion has been reserved and the petitioners undertake to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail



with conditions subject to payment of Rs. Rs. 5,000/- each (totalling Rs. 10,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

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 J.M. 1st Class, Gaya, in connection with Wazirganj P.S. Case No. 633 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.

(Rajiv Roy, J)

Adnan/-

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