

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23728 of 2025**

Arising Out of PS. Case No.-537 Year-2024 Thana- BARACHATTI District- Gaya

Sujeet Kumar S/O Sambhu Prasad Yadav R/O Vill.- Sarwan Bazar, P.S.-
Barachatti, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anunay Shahi, Advocate
	:	Mr. Priya Ranjan, Advocate
For the State	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-09-2025 Heard Mr. Anunay Shahi, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Barachatti P.S. Case No. 537 of 2024 registered for the offence under Sections 126(2), 115, 110, 76, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, lodged on 15.12.2024 by the informant, Rekha Devi.

3. As per the prosecution story, the informant alleged that in a drunken state and with malafide intention, the accused person tried to outrage her modesty and later, when son Rohit Kumar came to rescue, the accused persons including the petitioner assaulted. Allegation against this petitioner is of assaulting on the head of her son. This led to the F.I.R.



4. Learned counsel for the petitioner submits that for the same incident of 11.12.2024, two F.I.Rs. have been lodged, one by the petitioner side on 12.12.2024 and other the present case on 15.12.2024, the reason has not been assigned for the said delay, the accused side have also suffered injuries, omnibus allegation is there, nothing is on record to show whether the injuries have been found to be simple or grievous in nature. He further undertakes to diligently appear in trial and last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.10,000/- to the injured Rohit Kumar by Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that though case and counter case are there, allegation of assault is on this petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner is a young person, the allegation is there, case and counter case, both sides have suffered, this case has been lodged after the earlier case lodged by the petitioner side, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.10,000/- to the injured Rohit Kumar by 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 injured Rohit Kumar.

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 Additional Chief Judicial Magistrate-II, Sherghati, Gaya, in connection with Barachatti P.S. Case No. 537 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 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted



before the Trial Court;

(iv) 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;

(v) 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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