

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25455 of 2025**

Arising Out of PS. Case No.-592 Year-2024 Thana- GHOSI District- Jehanabad

Uttam Kumar S/O Munna Ram @ Munna Kumar Singh R/O Village-
Ahiyasa, P.S- Ghosi, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Ginni Priya, Adv.
Ms. Eashita Raj, Adv.
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard Ms. Ginni Priya, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Ghosi P.S. Case No. 592 of 2024 for the offence registered
under sections 126(2), 115(2), 109, 74, 352, 351(2), 351(3), 3(5)
of the BNS lodged on 09.12.2024 by the informant, Akhwari
Khatoon.

3. As per the prosecution story, the petitioner with bad
intention entered the house of the informant. Upon objection, he
called his family members, abused and assaulted which caused
injury to the informant's sister-in-law and also tried to outrage
the modesty of her daughter. When she tried to call the Police,
allegation against one Sonu Kumar is of snatching the mobile



and throwing it on the ground. This led to the FIR.

4. Learned Counsel for the petitioner submits that a perusal of the FIR would show that exaggerated allegation has been made. The injury of the Khushboo Khatun (sister-in-law) has been found to be simple in nature and further so far as the outraging the modesty of Sonam Khatoon is concerned, it is an afterthought. He further submits that if granted relief, he intend to visit Ghosi Police Station for a week every morning for two hours to clean the campus and at the end of the day shall be planting a sapling if permitted by the SHO of the said Police Station.

5. The last submission is that 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 petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- each to the sister-in-law, Khushboo Khatoon and the daughter, Sonam Khatoon (total Rs. 10,000/-) 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.

6. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail submitting that firstly, he entered the house and secondly, assaulted/outraged the modesty of the females.

7. Though considering the against the petitioner and also that he has criminal antecedent, this Court was not inclined to extend him privilege of bail, however, in view of the fact that he is only 19 years of age, sending him behind bar may further spoil his future, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 5,000/- each to the sister-in-law, Khushboo Khatoon and the daughter, Sonam Khatoon (totaling 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.

8. The petitioner further shall be visiting Ghosi Police Station for a week every morning for two hours to clean the campus and at the end of the week, shall be planting a sapling in the said campus. The SHO shall thereafter be submitting a report as to whether the petitioner visited the said place regularly for seven days and cleaned the campus for two hours or not and further, he be allowed to plant a sapling at the end of week. The report must come to this Court through Mr. Madan



Kumar, learned APP.

9. It is made clear that if the petitioner fails to visit the Police Station as recorded, appropriate steps may be taken against him for withdrawing the relief extended.

9. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Ghosi P.S. Case No. 592 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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 attendance;

(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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