

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24227 of 2025

Arising Out of PS. Case No.-329 Year-2024 Thana- Marnga District- Purnia

Prakash Kumar Bharti S/O Late Yogeshwar Paswan R/O Vill.- Majrara, Ward
no. 7, P.S.- Maranga, Dist.- Purnia

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate
For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Maranga P. S. Case No. 329 of 2024, dated 03-12-2024
instituted for the offence punishable under Sections
126(2),115(2), 308(2), 74, 352, 351(2), and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution, in brief, is that on
02/12/2024 at around 07:30 AM, the informant Rupa Devi was
waiting for the school bus outside her home. Meanwhile, the
accused persons arrived and stopped the kids of Rupa Devi from
stepping inside the bus. The informant protested, upon which
the accused persons started using filthy language against her and
dragged her by catching hold of her hair. The accused persons



assaulted her with a stick and belt and made her semi-nude. Thereafter, the informant returned to her home with the help of co-villagers. Subsequently, petitioner called the co-accused, and they began verbally abusing and threatening the informant's husband with dire consequences. The informant then called the police. The accused persons demanded a ransom amount of Rs. 10 lakhs from the informant in the presence of the police. The accused persons also assaulted the informant's husband and snatched his gold chain in the presence of the police, leading to the filing of the present FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the allegations against the petitioner are general and omnibus in nature, with no specific role attributed to him in the alleged occurrence. It is further submitted that there is a case and counter-case between both parties, and both sides are reported to have sustained injuries. The petitioner's side has also lodged a case against the informant and others, registered as Maranga P.S. Case No. 335 of 2024. The injury report, annexed as Annexure-2 to the bail petition, reveals three injuries on the informant's side, all of which are simple in nature. The petitioner's side has also



sustained simple injuries. The injury report does not support the case of the prosecution. It is submitted that the FIR in the present case has been lodged against 19 named and 4-5 unknown accused persons. It is further submitted that although three criminal cases are pending against the petitioner, charge sheet has already been submitted in the present case. The petitioner is in judicial custody since 22.01.2025.

5. Learned A.P.P. has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Purnia, in connection with Maranga P. S. Case No. 329 of 2024 subject to the following conditions:- (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused



in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

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