

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28612 of 2025

Arising Out of PS. Case No.-649 Year-2023 Thana- JAMUI District- Jamui

1. Sagar Kumar Son of Gauri Shankar Sah @ Gauri Shankar Resident of Village - Nimarang, P.S. and District - Jamui.
2. Sushil Kumar Son of Late Chandrashekhar Sah @ Chandrashekhar Prasad Saw Resident of Village - Nimarang, P.S. and District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amar Prakash, Advocate
For the State	:	Ms. Sangeeta Sharma, APP
For the Informant	:	Mr. Rajesh Kumar Sinha, Advocate
		Mr. Rahul Mani, Advocate
		Ms. Anisha Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners seek bail, apprehending their arrest, in connection with Jamui P.S. Case No. 649 of 2023, dated 04.11.2023, registered for the offences punishable under Sections 341, 323, 448, 354 and 504/34 of the Indian Penal Code.

3. As per the F.I.R., there is allegation of outraging the modesty of the informant as well as assault and committing theft of jewellery worth Rs.20,000/-.

4. Learned counsel for the Petitioners submits that the



Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact on the same day prior to the present F.I.R., the petitioners' side have lodged Jamui P.S. Case No. 650 of 2023 for offence punishable under Sections 307 and other allied sections against the informant's side and just to save the skin from that F.I.R., the informant has filed the present false case.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have one criminal antecedent.

7. However, learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioners for bail submitting that as per the F.I.R., it is a case of not only outraging modesty, but it is attempt to rape and cognizance under Section 354(B) IPC has been taken against the petitioners. He further submits that petitioners have criminal antecedents.

8. However, considering the case and counter case, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Jamui P.S. Case No. 649 of 2023, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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