

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25847 of 2025

Arising Out of PS. Case No.-386 Year-2024 Thana- KHIJARSARAI District- Gaya

Shrawan Kumar S/o- Sri Guddu Chauhan Village- Mahammadpur PS-
Khizarsarai Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Khizersarai P.S. Case No.386 of 2024 instituted under Sections 126(2), 109, 115(2), 303(2), 74 of the Bharatiya Nyay Sanhita lodged on 27.12.2024 by the informant, Sunita Devi.

3. As per the prosecution story, the informant alleged that while she was returning after attending nature's call, the petitioner tried outrage her modesty. Upon protest, he assaulted causing injury. She was taken for treatment at nursing home. Whereafter, the FIR.

4. Learned counsel for the petitioner submits that minor scuffle led to the present case, he has no criminal antecedent, learned Sessions Judge observation show that the injury has been found to be simple in nature. Further, submission is that without accepting the allegation and/or the outcome of the present case, the petitioner on its own would like to contribute Rs. 10,000/- to the informant



towards the medical assistance through Demand Draft issued by the local State Bank of India.

5. Learned APP opposes the prayer submitting that he has assaulted the lady.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent, the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 10,000/- to the informant towards the medical assistance through Demand Draft issued by the local State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Khizersarai P.S. Case No.386 of 2024 to the satisfaction of learned Judicial Magistrate, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions. However, if it is found that the petitioner has criminal antecedent, the order shall become infructuous.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

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