

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38216 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- Bahoranpur District- Bhojpur

1. Ramakant Yadav S/o Ramdev Yadav Resident of village- Charghat, P.S.- Bahoranpur, Dist.- Bhojpur.
2. Ramdev Yadav S/o Late Bachan Yadav Resident of village- Charghat, P.S.- Bahoranpur, Dist.- Bhojpur.
3. Sarita Devi @ Sabita Devi @ Sabita W/o Ramakant Yadav Resident of village- Charghat, P.S.- Bahoranpur, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Manoj Kumar, learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bahoranpur P.S. Case No. 31 of 2025, F.I.R. dated 13.03.2025 for the offences punishable under Sections 126(2), 115(2), 76, 117(2), 351(2), 352 and 3(5) of the Bhartiya Nyaya Sanhita.

3. According to prosecution case, all the petitioners entered into the house of the informant and started assaulting her and threw her on the ground and tried to outrage her modesty. When informant's daughter and son tried to save her than the accused persons also assaulted them and threatened to



kill them.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties. Although the petitioners are named in the F.I.R but it appears from the F.I.R that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners and the informant and petitioners are agnate to eachother.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties and there is no specific allegation of assault or overt act attributed against these petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Bhojpur at Ara in connection



with Bahoranpur P.S. Case No. 31 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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