

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73634 of 2024**

Arising Out of PS. Case No.-132 Year-2022 Thana- GHOGHARDIHA District- Madhubani

Rajesh Kumar S/O Shivlal Yadav R/O Village- Basuari, P.S- Ghoghardiha,  
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Jaishankar Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      09-04-2025                      Heard Mr.Jaishankar Kumar Yadav, learned counsel  
for the petitioner and Mr.Ram Priya Sharan Singh, learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Ghoghardiha P.S. Case No.132 of 2022, dated 17.10.2022 registered for the offences punishable under Sections 341,323,324,354(B),379,504,506,34 of IPC.

3. Allegation against the petitioner is of assaulting the informant by means of iron rod and disrobing the informant and also snatching jewellery.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and it appears from the FIR itself



that due to admitted land dispute the present occurrence had taken place. Although there is specific allegation against the petitioner that he assaulted to the informant but the injury report of the informant suggests that the injury inflicted upon the informant is simple in nature.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the injury inflicted upon the informant is simple in nature, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned J.M.1st Class, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No.132 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his/her criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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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