

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84219 of 2025

Arising Out of PS. Case No.-29 Year-1999 Thana- PAKRIDAYAL District- East Champaran

Hareram Ram @ Bhuntun Ram Son of Late Mansa Ram @ Manasa Ram,
Resident of Village - Tharbitiya, Police Station - Pakridayal, District - East
Champaran (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 23-12-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Pakridayal P.S. Case No. 29 of 1999, dated 13.04.1999, registered for the offence punishable under Section 377 of the Indian Penal Code.

3. The prosecution case, in brief, is that the petitioner committed unnatural sexual act with the minor son of the informant in his corn field.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in the present case. No occurrence in the manner as alleged has ever taken place. It is further submitted that the allegation is of the year 1999 and the Police after investigation has submitted



the final form exonerating this petitioner and despite the final form having been submitted, the Court concerned has mechanically taken cognizance. However, no notice, summons or warrant was ever issued to this petitioner and as per the knowledge of this petitioner, in the last 26 years no warrants were executed, no proclamation and attachment under Sections 82 and 83 of the Cr.P.C. was said to have been issued. The petitioner had been residing in his usual place of residence but, till date nothing has been received and now a compromise has also been arrived on 21.07.2025 between the parties which is placed on record for consideration of the Court concerned. The petitioner is a man of means and is ready to abide by the terms and conditions in case of grant of privilege of anticipatory bail. Learned counsel lastly submits that the petitioner has fair and clean antecedent.

5. Learned Additional Public Prosecutor for the State has opposed the prayer for bail of the petitioner and submits that cognizance is said to have taken place in the year 2025, which has given cause for this petitioner to take the course for filing of anticipatory bail in this case.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner came to



know about the cognizance having been taken place in the instant case by the Court concerned, which has very recently given cause for filing of the anticipatory bail and further considering petitioner's clean antecedent, let the petitioner, above-named, be released on bail, in the event of his arrest or surrender before the learned trial Court within a period of six weeks from the date of receipt / production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, East Champaran, Motihari, in connection with **Pakridayal P.S. Case No. 29 of 1999**, subject to the conditions laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S., as well as on the following conditions:

(i) one of the bailors should be the family member / relative of the petitioner(s), who shall provide official document to show his / her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the learned trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his / her / their bail bond by the learned trial Court itself;



(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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