

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89923 of 2024

Arising Out of PS. Case No.-407 Year-2024 Thana- GHOSI District- Jehanabad

Panna Lal Son of Bihari Sao Resident of Village - Jaitipur Bazar, Police
Station - Ghosi (Okri O.P), District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dauli kumari D/O Shatrughan Prasad R/V Jaitipur Bazar P.S. Ghosi Dist
Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr. Pranav Kumar, APP
For the Informant	:	Mr. Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-04-2025 Heard Bipin Kumar, learned counsel for the

petitioner, learned counsel for the Informant and Mr. Pranav
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Ghosi P.S. Case No. 407 of 2024, F.I.R. dated
09.08.2024 for the offences punishable under Sections 365, 376-
C, 201, 212, 120-B, 34 of the Indian Penal Code.

3. As per the First Information Report, the informant
alleged that the petitioner, in order to conceal illegal activities of
his brother (Sheo Shankar Kumar), took the victim outside the
city for a period of 25.03.2024 to 08.04.2024 and again took her
to Jehanabad Court and obtained signature on a petition which



was not read by the victim.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although, the petitioner is named in the FIR but from bare perusal of the FIR it appears that allegation of sexual assault is against co-accused Sheo Shankar Kumar who happened to be the brother of the petitioner and allegation against the petitioner is that when the petitioner came to know about the occurrence from his brother, he did not informed the authority concerned on time and apart from that petitioner tried to destroy the evidence of the alleged occurrence. He further submits that victim has refused for her medical examination.

5. The learned Additional Public Prosecutor and learned counsel for the Informant vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation of assault or overt act or commission of sexual assault upon victim against the petitioner and the petitioner has clean antecedent and victim has refused for her medical examination, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Ghosi P.S. Case No. 407 of 2024, 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. 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 absence on two consecutive dates without sufficient reason, his 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 criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond 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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