

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41317 of 2026

Arising Out of PS. Case No.-181 Year-2024 Thana- MADHEPUR District- Madhubani

Bechan Saday, S/o Satan Saday, R/o vill - Nawada, P.S.- Madhepur, Distt.-
Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Jaishankar Kumar Yadav, Advocate
For the State : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 01-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Madhepur P.S. Case No.181 of 2024, dated-
24.11.2024, registered for the offences punishable under
Sections 126(2), 115, 118(1), 76, 303(2), 352, 351(2) and 3(5)
of the B.N.S., 2023.

3. As per allegation, the Petitioner has destroyed the
paddy cultivation being done in the land belonging to the
Informant by throwing garbage in the paddy field and on
protest, her modesty was outraged by the Petitioner.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that even the police has found the



allegation regarding outraging of modesty to be untrue and hence, charge-sheet was not filed under Section 76 of B.N.S but filed only under other minor sections of the IPC. However, learned Judicial Magistrate had taken cognizance not only under minor Section but even under Section 76 of BNS in view of the allegation made in the FIR.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. In view of the allegation regarding outraging the modesty being found to be untrue by the police and though cognizance had been taken under Section 76 of B.N.S., **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



concerned Court below, in connection with Madhepur P.S. Case No.181 of 2024, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/-
Prakash/-

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