

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67756 of 2021**

Arising Out of PS. Case No.-555 Year-2019 Thana- NATHNAGAR District- Bhagalpur

Triveni Singh @ Triveni Kumar Son of Late Ajab Lal Singh Resident of
Village - Kanjhiya, P.S. - Madhusudanpur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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

4 19-05-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 342, 323, 354(B), 420, 376, 120(B), 34 of the Indian Penal Code.

As per prosecution case, in brief, is that informant was married on 21.11.2017 with one Ajit Kumar Singh who died later on. On 14.11.2019 her Dewar Sujit Kumar Singh came to her home at Nusratkhani and asked her to come with him to meet his parents who would give her EFT book and other documents so that she would get the job. Accused Sujit Kumar



Singh took her to the house of his Mousa Tribeni Singh at vilage Kajhiya where in collusion with Mousa and Mousi and their daughter Lina Devi, the informant was locked in a room. Inside the room Dewar Sujit Kumar Singh started committing vulgar activity and forcibly raped on her and under threat to kill he took nude photographs of the informant. Thereafter, in collusion with the aforesaid persons he put vermilion on the forehead of informant and again taken photograph and also threaten to viral her photographs. The accused persons also took her mobile but they returned the mobile to the informant before returning to their home.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that the allegation of sexual assault is against co-accused Sujit Kumar Singh but in fact the petitioner is the maternal uncle of co-accused Sujit Kumar Singh and there is general and omnibus allegation against the petitioner. The police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.09.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two



more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nathnagar (Lalmatiya) P.S. Case No. 555 of 2019, corresponding to G.R. No. 5282 of 2019, with the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 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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