

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21153 of 2022**

Arising Out of PS. Case No.-118 Year-2021 Thana- PATORI District- Samastipur

SHEKHAR SINGH Son of Jay Kumar Singh Resident of Village - Rajpur,  
Jaunapur, Mohanpur, P.S.- Shahpur Patory, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sumiran Rai, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

4      06-01-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 341, 342, 323, 325, 354(B), 365, 504 and 506 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

The informant alleges that on 19.04.2021, when her husband was returning home after repairing hand pump of Bariya Singh and when he reached near Baba Temple when the accused persons, including the petitioner, came and forcibly took her husband and brought him at their house and tied him with a rope and assaulted him by means of *lathi*, *danda*, *brick* and *stones* and when the daughters of the informant came to



know about the occurrence, they also reached the place of occurrence where all the accused persons assaulted them even, it is next alleged that the accused Kamlesh forcibly tried to hand over the pistol to the daughter of the informant and accused petitioner took Nikki Kumari inside the house and locked her and disrobed her and even attempted to commit wrong and assaulted her, thereafter, the husband of the petitioner was brought to the hospital where he was treated.

Learned counsel for the petitioner submits that the petitioner is in custody since 04.01.2022 and has antecedent of three cases.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegations, it would manifest that the allegation of assault is general and omnibus in nature and as far as this petitioner is concerned, he is alleged to have forcibly tried to commit wrong with Nikki Kumari but then it is not a case under Section 376 of the I.P.C., it is also submitted that even presuming what has been alleged is true without admitting for the purposes of bail, then the occurrence took place inside a locked room and the informant was not an eye-witness to the occurrence nor the informant alleges that



Nikki disclosed to her that the petitioner tried to outrage her modesty.

Learned counsel next submits that admittedly, on account of dispute between the parties, the occurrence have taken place in which even his sister has also been made an accused.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Patori P.S. Case No. 118 of 2021.

**(Satyavrat Verma, J)**

HarshPandey/-

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