

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38694 of 2023

Arising Out of PS. Case No.-107 Year-2022 Thana- KUNALI District- Supaul

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1. Shailendra Kumar Sah @ Shailendra Sah Son Of Uttim Lal Sah Village Dagmara Piprahi Tola P.S. Kanali Dagmara O.P., District Supaul
 2. Ranjit Sah @ Ranjit Kumar Sah Son Of Shivchandra Sah Village Dagmara Piprahi Tola P.S. Kanali Dagmara O.P., District Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vibha Devi Wife Of Suren Mukhiya Resident Of Village- Dagmara, Tola Piprahi, Ps- Kanali, District- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Pd Singh, Sr. Adv Mr. Bhaskar Shankar
For the State	:	Mr. Rita Verma
For the Informant/s	:	Mrs. Sakshi Deep

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-07-2023 Heard learned counsel for the petitioners, informant and learned APP for the State.

2. The petitioners seek regular bail in connection with Kunali P.S. Case No. 107 of 2022 registered for the offence under Sections 354(C), 376, 504, 506/34 of the I.P.C.

3. According to the FIR, it is a case of commission of rape. The informant who is victim of this case alleged that the petitioners committed rape with her on pistol point and the petitioner no.1 took obscene picture and also threatened her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to dirty village



politics. It is also submitted vide para 10 of the petition that the informant/victim has been examined as PW-1 before trial court in which she has not supported the prosecution allegation rather she stated that she has only put her R.T.I. on blank paper and the author of the FIR was Pradeep Kumar Mukhiya and Ghanshyam Kumar Mukhiya. The entire allegation against the petitioners are false and fabricated. Moreover, both the petitioner nos. 1 & 2 petitioners are languishing in judicial custody since 8.12.2022 and 18.10.2022 respectively.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Kunauli P.S. Case No. 107 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st Supaul.

(Sunil Kumar Panwar, J)

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