

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.71375 of 2022**

Arising Out of PS. Case No.-270 Year-2022 Thana- WAJIRGANJ District- Gaya

1. Lalit Singh @ Lalit Kumar Singh @ Lala Singh @ Lalit Narayan SINGH  
S/O Dinanath Singh R/O Village- Adhwa, P.S- Wazirganj, District- Gaya
2. Gore Lal Singh @ Gore Lal S/O Dinanath Singh R/O Village- Adhwa, P.S-  
Wazirganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Mohan, Advocate  
For the Opposite Party/s : Ms. Rita Verma, APP

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

3      17-05-2023                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioners is permitted to  
remove the defect(s), as pointed out by the office, if any, within  
a period of four weeks from today.

Petitioners seek bail who are in custody since  
15.06.2022 in connection with Wazirganj P.S. Case No. 270 of  
2022, F.I.R. dated 14.06.2022 for the offences punishable under  
Sections 376, 341, 323, 498A/34 of the Indian Penal Code.

According to prosecution case, both the petitioners  
assaulted and forcibly raped the victim and also threatened to  
kill her. It is further alleged that both the petitioners have sold  
her jewellery also.

Learned counsel for the petitioners submits that



petitioners have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that the victim/informant is wife of petitioner no.1, namely, Lalit Singh and sister-in-law of petitioner no.2, namely, Gore Lal Singh. He further submits that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has categorically stated that she has filed the present case due to some misunderstanding and the petitioner no.2, namely, Gore Lal Singh has not committed any wrong with her. The petitioners are in custody since 15.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner, namely, Lalit Singh carries 2 criminal antecedents and petitioner, namely, Gore Lal Singh carries 1 criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1<sup>st</sup>, District- Gaya in



connection with Wazirganj P.S. Case No. 270 of 2022, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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