

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15025 of 2024**

Arising Out of PS. Case No.-106 Year-2023 Thana- MAHILA PS District- Darbhanga

1. Harendra Singh @ Hari Singh Son of Jhatahu Singh Resident of Village- Kujji, Panchayat Khaira, P.S.- Bahadurpur, District- Darbhanga
2. Jay Ram Singh @ Mukesh Singh Son of Harendra Singh @ Hari Singh Resident of Village- Kujji, Panchayat Khaira, P.S.- Bahadurpur, District- Darbhanga
3. Chandan Singh Son of Harendra Singh @ Hari Singh Resident of Village- Kujji, Panchayat Khaira, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      12-03-2024                      **1.** Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

**2.** The accused/petitioners are named in the F.I.R. and apprehending their arrest in connection with Mahila P.S. Case No. 106 of 2023 registered for the offences punishable under Sections 376, 313 and 506/34 of the Indian Penal Code.

**3.** The allegation against the petitioners is to abuse and assault informant and others, where rape as alleged was



committed by son of petitioner no. 1, where petitioner no. 2 and 3 are brothers. Informant is the husband of the victim.

**4.** Learned counsel appearing on behalf of petitioners submitted that petitioners have been falsely implicated out of local disputes and differences. It is submitted that allegation of rape is available against Manku Singh, who is son of petitioner no. 1 and brother of petitioner no. 2 and petitioner no. 3 and out of said relation petitioners were falsely implicated in the present case, where maximum allegation against them as per FIR is to assault and abuse informant. While concluding the argument it is submitted that petitioner no(s). 1 and 2 found involved in five more criminal cases, lodged by their agnate/co-sharers, and out of their influence/instigation present false case is next in series only, where wife of informant made instrumental this time.

**5.** Learned APP appearing on behalf of the State, while opposing the prayer for bail submitted that allegation of rape is available against Manku Singh.

**6.** In view of the facts and circumstances as



mentioned above and by taking note of the fact, as allegation of rape is available against co-accused Manku Singh, where implication of all petitioners appears, *prima facie*, only being relative, accordingly all the petitioners above named, in the event of their arrest or surrender before the learned Court within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO), Darbhanga/concerned Court where the case is pending in connection with Mahila P.S. Case No. 106 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Chandra Shekhar Jha, J.)**

S.Tripathi/-

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