

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23714 of 2024

Arising Out of PS. Case No.-521 Year-2023 Thana- BARAUNI District- Begusarai

Kriti Raj @ Kirti Raj @ Bikky Kumar Son of Balraj Sahni @ Balraj Sahani
Resident of Village- Ninga, Wand No. 10, P.S. Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Sandip Kumar Gautam
For the State	:	Mr.Ahmad Ali
For the informant	:	Mrs. Prakritita Sharma Mr. Kumar Samir

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 29-07-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Barauni P.S. Case No. 521 of 2023 for the offences
punishable under Sections 376, 323, 504, 506/34 of the Indian
Penal Code.

3. As per allegation, the petitioner threatened the
victim to kill her husband and committed rape upon her.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the husband of the
informant and father of the petitioner were own brothers. There



was land dispute between the parties. He has also submitted that the mother of the petitioner, who is also an accused in this case lodged Sanha No. 3718 of 2023 in the Court of learned Chief Judicial Magistrate, Begusarai one month prior to the occurrence stating therein that for purchase of a piece of land, she gave Rs. 1 lakh to the informant. When she did not return that money with intention to grab the money, she lodged this case. By annexing some print out of chatting from mobile of the informant as annexure-4. He has next submitted that the informant herself was threatening. He has lastly submitted that in medical report nothing emerged, which establishes the allegation of rape.

5. On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the accused persons assaulted the victim and her family member which was detected in video clip. She has further submitted that it is true that no sign of sexual assault was detected in medical report but the reason thereof is that the victim was medically examined after one week of the occurrence.

6. The petitioner is under custody since 05.12.2023, the allegation is not supported by the medical evidence and from the materials available with the record shows that there is some



dispute between the parties prior to the present occurrence.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 521 of 2023, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) **If it is found that the petitioner is involved in any other case, the learned court below may take appropriate steps.**

(Nawneet Kumar Pandey, J)

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