

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64091 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- ANGARGHAT District- Samastipur

Karmveer Kumar @ Rishi Muni Kumar @ Karambir Kumar @ Rishi Muni
S/o Amresh Singh @ Amresh Kumar Singh Resident of Village - Muriyaro,
P.s. - Angarghat, Distt. - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Usha Devi W/o Ghanshyam Mahto R/o vill - Muriyaro, P.S. - Angarghat,
Distt. - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Angarghat P.S Case No. 83/2023 dated 19.08.2023 registered for the offence punishable u/s 376D, 307, 458 and 380 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have entered the house of the informant and took her to nearby field, tore her clothes and committed rape on her one by one. It is alleged that the accused persons saw the informant's daughter-in law watching them from window. They tried to break the door of the room of the



daughter-in-law of the informant but could not succeed. The accused persons also assaulted the informant by means of knife and stick, due to which she sustained injury.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has submitted that the age of the victim is 60 years. As per the Medical Report, there is no sign of recent sexual assault. The other co-accused person has already been granted bail by this court *vide* order dated 15.07.2024 passed in Cr. Misc. No. 10414/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.08.2023

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated the name of the petitioner and other accused persons and she has further stated that the accused persons looted Rs. 2 lacs from the hut and snatched her jewellery.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Samastipur in connection withAngarghat P.S Case No. 83/2023 , with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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