

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5426 of 2025**

Arising Out of PS. Case No.-282 Year-2021 Thana- GUTHANI District- Siwan

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Satyendra Turha S/o- Late Shivaji Turha Village- West Guthani PS-Guthani  
District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Acche Lal Turha S/o- Late Rama Nand Turha Village Ps- Guthani Dist-  
Siwan

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Prabhakar Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

5      12-05-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Guthani P.S. Case No. 282 of 2021, registered for the offences under Sections 147, 148, 149, 341, 323, 376, 302, 504, 506 of the Indian Penal Code and Section 4/8 of the POCSO Act.

3. As per the prosecution case, the co-accused Ashok Turha committed rape with the minor daughter of the informant. But subsequently, he was let of by the police who came at the spot and took both the co-accused and the victim to the police station. Further on the next date, the petitioner and other co-



accused persons who were armed with *lathi*, *danda*, *brick* and stones came to the doors of the informant and assaulted the informant, his daughter, his son, his wife and his nephew causing injuries to them. The petitioner and other co-accused persons forcibly administered poison to the son of the informant who died due to administration of poison.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is general and non-specific allegation against petitioner and other co-accused persons for assaulting informant and his family members but it is not believable that petitioner and other co-accused persons forcibly administered poison to the son of the informant due to which he died. Learned counsel further submits that the whole story of prosecution is not believable. If rape was committed on the first date of occurrence, no FIR was lodged. Learned counsel further submits that co-accused Ashok Turha, Jitendra Turha and others have been acquitted after conclusion of Trial No. 227 of 2022 and other persons have been granted bail. Learned counsel further submits that there is land dispute between the parties and for this reason the petitioners and other have been falsely implicated in this case. Even the victim girl did not take the



name of the petitioner in her statement recorded under Section 164 of the Cr.P.C. and this shows falsity of the allegation. The petitioner is in custody since 31.07.2024 and he has no criminal antecedent. Charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that there is specific allegation against petitioner and other co-accused persons that they administered poison to the son of the informant and he died.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against petitioner and also considering lack of substantive material showing the involvement of the petitioner in the alleged offences and also considering his clean antecedent, submission of charge sheet and period of custody, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Court of POCSO, Siwan/concerned court, in connection with Guthani P.S. Case No. 282 of 2021, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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