

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8810 of 2025

Arising Out of PS. Case No.-406 Year-2023 Thana- BHORE District- Gopalganj

Amit Kumar Singh, aged about 24 years, Male, S/o- Satendra Singh, Resident of Village- Dubauliya, PS- Bhore, District- Gopalganj

... .. Petitioner

Versus

1. The State of Bihar
2. Nitu Devi, aged about 26 years, wife of Sujit Manjhi, Resident of village- Ramnagar, P.S. Bhore, Gopalganj

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Kumar Harshvardhan, Advocate
For the O.P. No. 2	:	Mrs. Supriya Kumari, Advocate
For the State	:	Mrs. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 12-05-2025 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Bhore P.S. Case No. 406 of 2023 dated 17.08.2023 registered for the offences punishable under Sections 341, 323, 324, 307, 354B, 504, 506 read with Section 34 of the I.P.C., Sections 25(1-B)a, 26(1), 27, 35 of the Arms Act and Sections 3(1)(r)(s)(w) and 3(2)(v) of the SC/ST Act.

4. As per the prosecution case, on 16.08.2023 at about



7.00 P.M., the informant was going to her house from Husseypur Bazar after purchasing vegetables and as soon as she reached near her house about 500 meters away then four persons on two motorcycles reached there and started abusing her by calling her caste name. It is further alleged that Munna Yadav, Lalan Yadav, Ajay Chauhan and one unknown person were present there then the co-accused Munna Yadav and Lalan Yadav told the informant to withdraw the case and dragged her and tore her blouse and said that they would outrage her modesty. On hearing this, she tried to flee but both the co-accused persons Munna Yadav and Lalan Yadav said the co-accused Ajay Chauhan to kill her and then the co-accused Ajay Chauhan fired on her which hit on her left hand and thereafter she became unconscious. After hearing firing, nearby people reached there then all the four accused persons fled away and they brought the informant to Bhore Referral Hospital for her treatment.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that earlier the petitioner was granted provisional bail for a period of two months to solemnize his marriage which was scheduled to be held on 07.03.2025 vide



order dated 04.03.2025. Thereafter, a surrender certificate has been filed on behalf of the petitioner which is kept on the record at Flag-'X'. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation. It is further submitted that the petitioner and the informant are known to each other and on the basis of unfounded suspicion by the F.I.R. named accused persons that the petitioner had helped her in lodging the F.I.R., against them, the petitioner has falsely been implicated in the present case. The local police in collusion with the accused persons took the signature of the co-accused Rudal Sah and Sandeep Kumar on the plain paper and prepared a false case against the petitioner and his associates and then sent them to jail. There is no independent witness to the alleged offence. It is further submitted that on the alleged date and time of occurrence, the petitioner was present at the 'Community Health Centre', Sahjanwa, Gorakhpur from 2.00 P.M. to 8.00 P.M and to that a certificate has also been issued by the Chief Medical Officer, annexed as Annexure-P/3 to the present bail petition. The petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 26.10.2024.



6. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have vehemently opposed the bail petition of the petitioner.

7. 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 XVIth Additional Sessions Judge, Gopalganj in connection with Bhore P.S. Case No. 406 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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