

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5917 of 2025**

Arising Out of PS. Case No.-357 Year-2021 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Kailash Kumar Chaupal @ Kailash Mandal S/O Gundeshwar Chaupal @
Gundeshwar Mandal R/o Vill - Sijauliya Bajraha Tol, P.S - Phulparsa, District
- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita Devi W/O Late Chandeshwar Mandal R/o Vill - Sijauliya Bajraha Tol,
P.S - Phulparsa, District - Madhubani

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 15-02-2025 Heard the parties.

2. The petitioner is named in the complaint petition and apprehending his arrest in connection with Complaint Case No. 357 of 2021 registered for the offences punishable under Sections 323, 504, 354 of the Indian Penal Code and Section 3/4 of Prevention of Witch Act, 1999.

3. The allegation against petitioner is as it appears from the narration of complaint that the petitioner on 16.09.2021 at about 3P.M. entered into the



dwelling house of the complainant and pulled her down to ground by catching her hair and also assaulted her by calling her as *Dian* and when her daughter-in-law Geeta Devi came to her rescue he also acted indecently with her and further compelled the complainant to drink obnoxious matter.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner implicated falsely with present case out of village politics and neighborhood dispute and differences. It is submitted that the alleged occurrence through complaint was said to be committed on 16.09.2021 at about 3 P.M. whereas the complaint in issue was lodged on 23.11.2021 i.e., after more than two months in very planned and formulated manner just to implicate petitioner falsely upon the instance of co-villagers. While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.



6. In view of aforesaid facts and submission and by taking note of fact as complaint in issue was lodged after more than two months of the alleged occurrence, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Jhanjharpur, Madhubani/concerned Court, where the case is pending in connection with Complaint Case No. 357 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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