

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18335 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Raju Kumar Son of Sri Umesh Ram Resident of - Ambedkar Nagar,
Bhagwanpur Chakshekhu, P.S.- Dalsinghsarai, District - Samastipur - 848114

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hemant Kumar Karn, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Dalsinghsarai P.S. Case No. 33 of 2025 instituted for the offences under Sections 126(2), 115(2), 127(2), 76, 303(2), 352, 351(2), 3(5) of the B.N.S., 2023 and Section 37(C) of the Bihar Prohibition and Excise Amendment Act.

3. As per prosecution case, on the alleged day of occurrence, the petitioner, under the influence of alcohol and armed with pistol, entered into the house of the Informant and tried to disrobe as well as commit rape upon her. When the Informant made *hulla*, her Dewar Ajay Kumar Das came there to protect her then the co-accused persons assaulted him by



means of iron rod and fighter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are *Gotiya* and there is a previous land dispute between them. He further submits that the injury sustained by the brother-in-law of the Informant is simple in nature. Both the parties have sustained injury. He further submits that the mother of the petitioner has also tried to lodge the F.I.R. but, failed. There is no independent eye-witness to the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.02.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned



Court in connection with Dalsinghsarai P.S. Case No. 33 of
2025.

(Rudra Prakash Mishra, J)

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