

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17520 of 2025

Arising Out of PS. Case No.-199 Year-2024 Thana- BHAPTIAHI District- Supaul

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Domi Mukhiya S/O Late Janak Mukhiya @ Jangal Mukhiya @ Late Jagal Mukhiya Resident of village - Jhilla Dumri, Ward No. 13, Near Panchayat Bhawan, Police Station - Bhaptiyahi, Dist.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sushila Kumari @ Sushila Devi W/O Jogindar Mukhiya R/O Vill.- Murli, Ward No.- 01, P.S- Bhaptiyahi, Dist- Supaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun

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

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

3 13-05-2025 Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Bhaptai Sarai P.S. Case No. 199 of 2024, registered for the offences punishable under Sections 64(1) of BNS Act.

3. The allegation against the petitioner is that having entered into the room, he committed rape upon the informant and on protest, the informant's husband came there and assaulted the petitioner.

4. The learned counsel for the petitioner has submitted that the petitioner is father-in-law of the alleged victim and the independent witnesses in paragraph nos. 10 and 11 of the case



diary have stated that the informant and her husband were quarreling and when the petitioner intervened, he was falsely implicated. He has further submitted that the allegation is not corroborated by the medical report and the petitioner is under custody near about eight months.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that the petitioner is father-in-law and committed rape upon the informant. The informant, in her statement recorded under Section 164 of the CrPC, fully corroborated the allegation, to which the learned counsel for the petitioner replies that she was quarreling with her husband and the petitioner intervened, which was the reason of false implication. The allegation has been made against the husband and father-in-law both, in the statement of the victim recorded under Section 164 of the CrPC, that they are not the persons of good conduct.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named, is directed to furnish bail bond and on doing so, the court below shall release the petitioner on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with



Bhaptai Sarai P.S. Case No. 199 of 2024, subject to the following conditions that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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