

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18667 of 2025

Arising Out of PS. Case No.-228 Year-2024 Thana- PAKRIDAYAL District- East Champaran

DEEPAK KUMAR @ DEEPAK MAHTO S/O ASARFI MAHTO R/o vill
and P.O- Parsauni Kapoor, P.S.- Patahi, Distt.- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Sah S/o Late Rambhajan Sah R/o vill and P.O.- Majhauiliya, ward no. 11, P.S.- Pakridayal, Distt.- East Champaran at Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyama Kant Singh
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pakridayal P.S. Case No. 228 of 2024 registered for the offences punishable u/s 64, 62 and 117(2) B.N.S.

3. As per the prosecution case, the petitioner is alleged to have committed rape upon the daughter of the informant.

4. 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 there is a case and counter case between the parties and in fact it was the petitioner who



had received grievous injury on account of a knife blow given by the victim girl and for the said assault the father of the petitioner also lodged a counter case bearing Pakridayal P.S. Case No. 230 of 2024. It is next submitted that the victim girl had refused for medical examination and accepted that no rape was committed upon her. It is lastly submitted that the petitioner has clean criminal antecedents and is in custody since 25.10.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is case and counter case between the parties and the petitioner himself has received injuries and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, in connection with Pakridayal P.S. Case No. 228 of 2024, subject to the following conditions:-

(i) One of the bailors will be 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 two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

U		T	
---	--	---	--

