

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25580 of 2025

Arising Out of PS. Case No.-359 Year-2024 Thana- MASHRAK District- Saran

1. Umesh Singh S/o Late Ramagya Singh Resident of village- Gangauli, Police Station- Mashrakh, District- Saran
2. Rahul Kumar Singh @ Rahul singh @ Rahul kumar S/o Umesh Singh Resident of village- Gangauli, Police Station- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mili Kumari, Advocate
For the Opposite Party/s	:	Mr.Md. Mushtaque Alam, APP
For the Informant	:	Mr.Awadhesh Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 06-08-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mashrakh P.S. Case No. 359/2024 dated 10.06.2024 registered for the offence punishable u/s 342, 323, 504, 354, 307, 326A read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the co-accused persons are alleged to have surrounded the informant and started abusing her and asked her to withdraw the previous case. On protest, the co-accused, Sonu and Amit caught hand of the informant and on the order of Rakesh Singh, the co-accused,



Diwakar Singh threw acid on her, causing injury on her back.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The specific allegation of throwing acid is against the co-accused, Diwakar Singh. The petitioners are father and brother of the informant who are not named in the F.I.R. Learned counsel has submitted that the FIR has been lodged on 10.06.2024 in which she has stated nothing against the petitioners but when the victim statement was recorded u/s 183 of the B.N.S.S on 30.09.2024 after three and half months she has levelled allegation against the petitioners. The petitioner no. 1 has four antecedents whereas the petitioner no. 2 has two antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 21.10.2024.

5. Learned A.P.P. for the State as well as the learned counsel for the informant has vehemently opposed the bail petition of the petitioners. The victim in her statement recorded u/s 183 of the B.N.S.S. has stated that the petitioner no. 2 caught hold of her hands and threw acid on her and thereafter forced her to lodge a case against the co-accused persons and she has further stated that the petitioners committed rape on her. In para. 69 of the case diary, the medical report of the victim is



mentioned in which the victim is found pregnant and her age is assessed between 17-20 years.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra, in connection with Mashrakh P.S. Case No. 359/2024, with the condition:-

(I). The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

(ii). The petitioners are directed to co-operate in the trial in the court concerned.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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