

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27171 of 2025

Arising Out of PS. Case No.-51 Year-2025 Thana- SASARAM MUFFSIL District- Rohtas

1. Shiv Kumar S/o Rama Shankar Singh R/o Village- Ahraon , PS- Sasaram M , Dist- Rohtas
2. Gita Devi W/o Shiv Kumar R/o Village- Ahraon , PS- Sasaram M , Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-05-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 329(4), 109, 117(3) and 75 of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner No. 2 is a woman and the informant alleges that on 17-2-2025 at 12.30 pm while she was washing utensils, when Shiv Kumar (Petitioner No. 1) entered her house and held her hand and tried to forcefully establish physical relations, on alarm her husband



and father-in-law came, when Shiv Kumar started abusing them and thereafter left the house and came back along with Dhaneshwar, Ramashankar, Anil and Gita (Petitioner No. 2), who were variously armed, thereafter Shiv Kumar assaulted her husband by *Tangi* causing injury on forehead, further Gita assaulted her husband by *hasua* causing injury on head, thereafter nine named accused persons also came variously armed and abused and assaulted her husband and father-in-law, on account of which her husband has suffered injury on head, while her father-in-law suffered injury on head.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that Petitioner No. 2 is wife of Petitioner No. 1 and it does not appear probable that wife would have supported the petitioner No. 1, had he gone to the house of the informant with an intent to commit rape. It is further submitted that side of the informant objected the plastering of the house of Dhaneshwar Yadav, brother of Shiv Kumar, on account of which an altercation took place in which both sides assaulted each other. It is also submitted that from side of the petitioners Sasaram (M) P.S. Case No. 50 of 2025 has been instituted against the side of the informant and others.



It is also submitted that a specific pleading has been made at para 15 that injury suffered by the injured is simple in nature.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sasaram (M) P.S. Case No. 51 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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