

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39904 of 2025

Arising Out of PS. Case No.-50 Year-2024 Thana- RIGA District- Sitamarhi

Chunchun Das S/o Late Kuldeep Das R/o Village- Uffrauliya, P.S.- Riga,
District- Sitamarhi Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
		Mr. Pushpendra Kumar Singh, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the Informant	:	Mr. Anil Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-08-2025 Heard Mr. N.K. Agarwal, learned senior counsel for the petitioner, Mr. Ramchandra Sahni, learned Additional Public Prosecutor for the State and Mr. Anil Kumar Sinha, learned counsel for the informant.

2. Petitioner seeks bail who is in custody since 24.04.2025 in connection with Riga P.S. Case No. 50 of 2024, F.I.R. dated 24.02.2024 for the offences punishable under Sections 341, 323, 354, 376, 504, 506, 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner is said to have committed rape upon the informant. It is further alleged that when the family of the informant went to petitioner's house for complaining, he is said to have assaulted the family members of the informant.

4. Learned senior counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated



in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the trial has begun and informant has deposed before the learned Trial Court as P.W.-1 and she has not supported the case of the prosecution. Apart from that, she has narrated a different story in her deposition before the learned Trial Court and she has categorically stated that due to land dispute, the informant (P.W.-1) has filed the present case against the petitioner who is happened to be the uncle of the petitioner. The petitioner is in custody since 24.04.2025.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the petitioner and submits that the trial has begun and witnesses have been examined and apart from that, there is serious allegation against the petitioner.

6. Considering the aforesaid facts and circumstances, victim has deposed before the learned Trial Court and she has not supported the prosecution case rather she has categorically stated that due to admitted land dispute, she has filed the present case against the petitioner who is happened to be the uncle of the petitioner, let the petitioner, above named, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Sitamarhi in connection with Riga P.S. Case No. 50 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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.

(Rajesh Kumar Verma, J)

priyanka/-

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

