

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48290 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- BELDOUR District- Khagaria

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Mannu Kumar Sah @ Mannu Kumar S/o Subhash Sah R/o Village-
Nageshwar Singh Basa Koyla Tower, Ward No. 5 Panchayat Belanabad, P.S.-
Beldour, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-11-2025 Heard the parties.

2.The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Beldour P.S. Case No. 231 of 2024 registered for the offences punishable under Sections 376, 448, 379, 427, 323, 506 of the Indian Penal Code.

3. As per FIR, the allegation against petitioner is to commit rape upon informant who is a married lady aged about 19 years while she was alone in her house. After committing rape, petitioner also alleged to snatch her *mangalsutra* and mobile phone.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that out of local dispute and differences petitioner implicated with present case. It is pointed out that though allegation of rape is available through FIR, but upon perusal of statement of victim as recorded under Section 164 of the Cr.P.C., it can be gathered safely that it was a case of only criminal trespass, which was objected by informant/ victim and no such occurrence of rape as alleged through FIR was committed upon her. It is also pointed out that in medical examination nothing transpired which may suggest any mark of physical violence upon informant in support of allegation. Learned counsel further submitted that issues and differences on the basis of which present implication was raised now stands compromised and a petition of said effect already filed before learned JM 1st Class, Khagaria. While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5 .Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of statement of victim as recorded under Section 164 of the Cr.P.C., which *prima-facie* negate the allegation of



rape as alleged through FIR, coupled with the fact that petitioner is a man of clean antecedent, where issues and differences also appears compromised between the parties, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Khagaria/concerned Court, where the case is pending in connection with Beldour P.S. Case No. 231 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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