

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50412 of 2025

Arising Out of PS. Case No.-71 Year-2024 Thana- KANHauli District- Sitamarhi

SHISHUPAL RAI @ SHISHUPAL YADAV @ SHISHUPAL KUMAR S/o-
Chitranjan Rai Village- Posua Ps- Riga Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o- Vijay Kumar Yadav Village- Murhadih Ps- Kanhauli Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arya Achint, Advocate
For the Opposite Party/s	:	Md. Shakir Ahmad, A.P.P.
For the Informant	:	Mr. Shankar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Kanhauli P. S. Case No. 71/2024 in a case registered for the offences punishable under Sections 376, 506/34 of the Indian Penal Code and Sections 4/6 of the Protection of Children from Sexual Offences Act.

3. On 28.8.2023, when informant was alone in the house, this petitioner committed rape with her and threatened to kill her brother if she discloses the ordeal to anyone. It is further alleged that later on, this petitioner, who is brother of brother-in-law of the informant came during Dussehra and raped her



multiple times. On 21.5.2024, this petitioner along with co-accused Raushan Yadav took the informant to Gujarat and thereafter, kept her there and raped her. Furthermore, it is alleged that this petitioner along with other co-accused persons pressurized the father of informant to marry informant to co-accused Dharampal Rai or face the consequences.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, there was love affair between brother of the petitioner and the informant and as such there was no cause for the petitioner to be involved in the present case. Petitioner has been made accused due to pre-existing disputes. Petitioner claims clean antecedent and is in custody since 22.05.2025. In this case, charges have already been framed and case is running for prosecution evidence.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering aforesaid facts and circumstances of the case and period of custody, the bail application is allowed. Let the above named petitioner 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 Additional Sessions Judge-IV-cum-Special Judge (POCSO Act), Sitamarhi, Bihar in connection with Kanhauli P. S. Case No. 71 of 2024.

(Prabhat Kumar Singh, J)

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