

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51088 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- UDAKISHUNGANJ District- Madhepura

1. Amarjit Kumar @ Aman Kumar son of Sri Bhagat Lal Mahto R/o Village- Uda Purwari Tola (Puwari Tola) (Pujari Tola) Ward No 03 P.S- Udakishunganj District-Madhepura
2. Inderjit Kumar @ Randhir Kumar @ Indrajit Kumar son of Sri Bhagat Lal Mahto R/o Village- Uda Purwari Tola (Puwari Tola) (Pujari Tola) Ward No 03 P.S- Udakishunganj District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 19-09-2025 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 341, 342, 323, 506, 376, 354(B), 379 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons including the petitioners on 14.04.2024 at 10:00 p.m. entered her house while she was sleeping with her children; and Ranveer Kumar closed her mouth and molested her and also assaulted with butt of gun, thereafter Ranveer Kumar committed rape and the accused snatched her ornaments and Rs.50,000/- and fled away.



4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that the date of occurrence is 14-4-2024, when BNSS had not come into existence, but then the FIR came to be instituted on 19-1-2025 under various sections of the Indian Penal Code for the reason that the date of occurrence is 14-4-2024. It is further submitted that the delay in instituting the FIR casts an aspersion on the case of the prosecution. Learned counsel further submits that today he has been informed by the petitioners that process under Section 82 Cr.P.C has been issued against them on 20-7-2025, but then it is submitted that FIR was instituted on 19-1-2025 and when the petitioners came to know about their false implication in the instant case, they approached the learned district court seeking anticipatory bail by filing ABP No. 655 of 2025 which came to be rejected on 30-5-2025, thereafter the petitioners moved before this court seeking anticipatory bail on 17-7-2025 and the case remained pending adjudication when process under section 82 Cr.P.C came to be issued on 20-7-2025. It is thus submitted that petitioners were not absconding rather were availing their remedies available in law. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

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 Udakishunganj P.S. Case No. 25 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioners, despite giving assurance to this Court, are not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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