

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65591 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- UDAKISHUNGANJ District-
Madhepura

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- 1 . Md. Saddam Hussain @ Saddam Hussain @Md. Saddam Md Naien Khan @ Md Nayimuddin Ansari @ Md Nayim Ansari R/o Village- Barahi Goth, P.S. - Udakishunganj, Dist.-Madhepura.
 2. Ratan Yadav @ Ratnesh Kumar Son of Pramod Yadav R/o Village- Barahi Goth, P.S. - Udakishunganj, Dist.-Madhepura.
 - 3 . Nitish Kumar Son of Rubi Mahto @ Ravi Mahto R/o Village- Barahi Goth, P.S. - Udakishunganj, Dist.-Madhepura.
 4. Nistu Kumar Son of Ajay Kumar @ Ajay Kumar Yadav R/o Village- Barahi Goth, P.S. - Udakishunganj, Dist.-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N K Agrawal , senior Advocate

Mr. Pawan Kumar , Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-11-2025 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 103(1), 70(1), 303(2) and 3(5) of the Bharatiya Nyaya Sanhita .

3 . As per F.I.R., informant alleges that dead body of his sister-in-law in naked condition was found lying in her house , thus based on suspicion, alleges that all the F.I.R. named



accused persons including these petitioners raped her and also took away her ornaments.

4. It is submitted on behalf of the petitioners that petitioners have been falsely implicated in the instant case by the informant. From perusal of FIR, it would be manifest that informant is not an eye-witness to the alleged occurrence and the entire allegation hinges around suspicion . It is further submitted that even the post-mortem report does not corroborate the allegation of rape rather strangulation being the cause of death. It absolutely does not stand to reason that on what basis the informant, who is not an eye-witness to the occurrence, alleged that petitioners committed rape upon the deceased. Similarly situated co-accused persons have already been granted bail by Co-ordinate Bench of this Hon'ble Court vide order dated 07.10.2025 in Cr. Misc. No. 67769 of 2025 .

5 . Learned counsel for the State oppose the bail petition .

6 Considering the aforesaid facts, materials available on record and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of



the like amount each to the satisfaction of the learned ACJM 1st
Udakishunganj District- Madhepura in connection with
Udakishunganj P.S. Case No. 120 of 2025 , subject to the
conditions laid down under section 482 (2) of the Bharatiya
Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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