

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71777 of 2025

Arising Out of PS. Case No.-244 Year-2024 Thana- MAHNAR District- Vaishali

Ashutosh Kumar Singh @ Ashutosh Karan Singh @ Karu Singh, S/o Late
Brajesh Kumar Singh, R/o Village - Hasanpur, P.S - Mahanar, District -
Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection
with S.Tr. No.240 of 2025 arising out of Mahnar P.S. Case
No.244 of 2024 registered for the offences punishable under
Sections 64, 62, 332(a), 351(2), 352 read with 3(5) of the
Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is
in custody since 07.04.2025.

4. Allegation against the petitioner is to make an
attempt to commit rape upon informant who is a married lady
aged about 24 years while she was sleeping in a room with
nine months old son.



5. It is submitted by learned counsel appearing for petitioner that the parties are next door neighbours and due to neighbourhood disputes and differences, the present false case was lodged by the informant. It is submitted that at best this is an attempt to commit rape. It is also pointed out that the room was opened by this petitioner from inside as per FIR, which also falsify the allegation that how he entered into room, where informant was sleeping with her minor son. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. The petitioner claimed clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of overall nature of accusation, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 07.04.2025, accordingly, the petitioner, above-named, 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 Judicial Magistrate-1st Class & A.M.-9, Vaishali at Hajipur in connection with S.Tr. No.240 of 2025 arising out of Mahnar P.S. Case No.244 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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