

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48500 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- LAKHAURA District- East Champaran

Guddu @ Guddu Kumar Son of Awadesh Rai @ Audhesh Ray Resident of
Village - Laxmipur, Ward No.- 7, P.S.- Town Lakhaura, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73298 of 2025

Arising Out of PS. Case No.-170 Year-2024 Thana- LAKHAURA District- East Champaran

Radhe Shyam Kumar S/O Ruplal Raut Resident of Village- Laxmipur, P.S.-
Lakhaura, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 48500 of 2025)

For the Petitioner/s : Mr. Dhurendra Kumar, Adv

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

(In CRIMINAL MISCELLANEOUS No. 73298 of 2025)

For the Petitioner/s : Mr. Dhurendra Kumar, Adv

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 13-11-2025 **Cr. Misc. No. 48500 of 2025 & Cr. Misc. No. 73298 of**
2025

Heard the parties.

2. The accused/petitioners are named in the F.I.R.

and apprehended their arrest in connection with Lakhaura P.S.

Case No. 170 of 2024 registered for the offences punishable under

Sections 64, 62, 76 and 3(5) of the BNS.



3. As per FIR, named co-accused persons made an attempt to commit rape upon informant, who is a married lady and major.

4. Learned counsel appearing on behalf of the petitioners submitted that out of neighborhood disputes and differences present false case was lodged. It is submitted that during the course of investigation petitioners were named by mother-in-law of the victim. It is submitted that victim was not examined under Section 164 of the Cr.P.C. and also she refused to undergo medical examination and, therefore, in want of corroborating material statement of victim/informant not appears sterling in nature. While concluding the argument learned counsel submitted that petitioners are men of clean antecedent.

5. Learned APP appearing on behalf of the State, opposes the prayer for anticipatory bail.

6. In view of the facts and circumstances and by taking note of the fact as petitioner was not named by victim/informant and also statement of victim could not recorded under Section 164 of the Cr.P.C. where non-joining of medical examination suggest absence of corroborating material, accordingly the both petitioners above named, in the event of their arrest or surrender before the learned trial court within a period of four weeks, are directed to be



released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran/concerned trial court where the case is pending in connection with Lakhaura P.S. Case No. 170 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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