

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82444 of 2024

Arising Out of PS. Case No.-680 Year-2023 Thana- ISLAMPUR District- Nalanda

Deepak Kumar @ Deepak Chaudhary Son of Ashok Chaudhary R/O Bardih Math, P.S.- Islampur, Dist.- Nalanda, Bihar, 801303

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anisha Kumari D/O Shri Ramashish Choudhary R/O Barhi Math, P.S.- Islampur, Dist.- Nalanda, Bihar, 801303

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mahima Sharma Mr. Gaurav Sharma
For the State	:	Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

7 09-09-2025 Heard the learned counsel for the parties.

2. The petitioner apprehend his arrest for the offences alleged under Sections 448, 341, 323, 325, 307, 504, 506 and 354(B)34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act, 2012, registered in connection with Islampur P.S.Case No. 680 of 2023/Spl. POCSO Case No. 200 of 2023.

3. The informant is the elder sister of the victim aged about 12 years. The FIR was lodged on 03.12.2023, stating therein that when the informant and her mother went inside their house, they saw the petitioner attempting to commit rape upon the victim. Having seen the informant and her mother, the



petitioner fled away. When the mother of the informant went to complain to the house of Ashok Chaudhary, father of the petitioner, the petitioner and other accused persons assaulted the informant and her mother who suffered injuries.

4. The learned counsel for the petitioner has submitted that a number of cases are pending between the parties, descriptions whereof have been given in para-4 of the bail petition. On 02.12.2023 also, the mother of the petitioner lodged a case against the members of the prosecution side. In retaliation thereof, the present case has been lodged on 03.12.2023. The learned counsel for the petitioner also drew my attention to the complaint dated 17.10.2023 lodged by the father of the petitioner against the mother of the informant complaining the encroachment on public path. An inquiry was done on the same day by the Public Grievance Redressal Officer and it was found that Rekha Devi, the mother of the informant, has encroached the public path and built a hut thereon. The learned counsel submitted further that these are the reasons of false implication of the petitioner and other accused persons. It is also submitted that the injuries suffered by the injured are simple in nature.

5. On the other hand, the learned counsel for the



informant has submitted that the petitioner not only attempted to commit rape upon the victim, but also the family members of the petitioner and he himself assaulted the the informant and his mother, when they went to complain against them.

6. From perusal of the records, it appears that there is dispute between the parties and a number of cases are already pending between them.

7. Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, 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 learned Addl. District and Sessions Judge-VII, Nalanda/concerned court in connection with Islampur P.S.Case No. 680 of 2023/Spl. POCSO Case No. 200 of 2023, subject to the conditions as laid down under Section 438(2) CrPC/482(2) of the BNSS,2023.

(Nawneet Kumar Pandey, J)

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