

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87610 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Arjun Sah @ Arjun Kumar Sah S/O Late Harishankar Sah R/O Vill.-
Belhiyan, P.S.- Tariyani Chhapra, Dist.- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Krishna Prabhat, Advocate
For the State	:	Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-02-2025 Heard learned counsels for the parties.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 329(4), 126(2), 115(2), 76, 64, 62, 303(2) and 3(5) of the B.N.S..

3. The prosecution case, in brief, is that on 08.10.2024 while informant was sleeping in her house with her two children in the meantime, at 2:30 AM, this petitioner along with co-accused Shatrughan Sah entered into the house and and tried to outrage her modesty. Thereafter, both the accused persons tied the hands of the informant and committed rape with her. It is further alleged that when the victim raised alarm, both the accused persons abused her and co-accused Shatrughan Sah snatched gold chain from her neck and fled away.



4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has falsely been implicated in this case. Petitioner happens to be co-villager of the informant and there was dispute between the children of the parties which has blown out of proportion to implicate this petitioner into this grave offence. Petitioner happens to be a married person. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has not alleged the fact of commission of rape and has only stated that this petitioner has tried to molest her. Moreover, during pendency of this case, the dispute between the parties has already been compromised and a compromise petition to that effect has also been filed before the learned Sessions Judge, Sheohar on 12.11.2024. Petitioner is in custody since 09.10.2024. Charge-sheet has already been submitted. Petitioner has got no criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, compromise between the parties, period of custody and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.



7. Accordingly, let the above named petitioner 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 A.C.J.M.-1, Sheohar in connection with Tariyani Chapra P.S. Case No. 84 of 2024.

(Prabhat Kumar Singh, J)

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