

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34639 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- TARAIIYA District- Saran

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1. Khushbu Devi @ Khushbu Kumari Giri D/o Kalika Giri Resident of Village - Sakddi Bharti Tola, PS- Amnaur, Dist- Chhapra Saran.
 2. Rajesh Kumar Giri @ Rajesh Giri S/o Kalika Giri Resident of Village - Sakddi, PS- Amnaur, Dist- Chhapra Saran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Annu Devi W/O Late Brajesh Giri village po-Bhagwatpur Gosai Tola P.S Taraiya saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shatrughna Pandey, Advocate
For the Opposite Party/s :	Mr.Chandra Sen Prasad Singh, APP
For the Informant :	Mr. Vishesh Kumar Singh, Advocate
	Mr. Basant Kumar Singh, Advocate
	Ms. Shaambhavi Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 20-01-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners apprehending their arrest in connection with Taraiya P.S. Case No. 295 of 2024 registered for the offences punishable under Sections 126(2), 303(2), 352, 351(2), (3), 64, 3(5) of Bhartiya Nyay Sanhita and 67 of I.T. Act.

3. The allegation against the petitioners is to blackmail the informant under garb of making the video viral *qua* intimate relationship with husband of petitioner no. 1.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that the thrust of allegation *qua* rape and making the video viral is available against co-accused Anil Giri. It is pointed out that petitioner no. 1 is the wife of the co-accused Anil Giri, against whom the allegation of rape is available and she was implicated only for said relation. It is further submitted that petitioner no. 2 is brother-in-law of co-accused Anil Giri. It is also pointed out that during Corona period in fact the husband of petitioner helped the informant in treatment though her husband died subsequently but when he raised demand *qua* payment made to the informant, the present false implication was raised. While concluding argument, it is submitted that allegation of rape is not available against petitioners and, moreover, both are of clean antecedents.

5. Learned APP, duly assisted by learned counsel Mr. Vishesh Kumar Singh, appearing on behalf of the informant, while opposing the prayer of bail submitted that the allegation of blackmailing is also available against these petitioners but could not disputed that the allegation *qua* rape is available only against co-accused Anil Giri, who is now in custody.

6. In view of aforesaid factual submissions and by taking note of fact as both petitioners *prima facie* implicated with present occurrence being relative of co-accused Anil Giri, against



whom the thrust of allegation *qua* rape is available, accordingly, both above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is 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 1st Additional Sessions Judge, Saran/concerned Court, where the case is pending in connection with Taraiya P.S. Case No. 295 of 2024 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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