

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72867 of 2025

Arising Out of PS. Case No.-95 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Sushil Rai S/o Late Rajdeo Rai R/o Village- Tikarampur, Banarasi Rai Tola,
P.S.- Muffasil, District- Munger (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Shahid Anwar, Advocate
		Mr. Uma Kant Mishra, Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 13-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Munger Muffasil P.S. Case No. 95 of 2024 instituted for the offences under Sections 376, 511, 354, 323, 341, 504 and 506 of the Indian Penal Code.

3. Prosecution case, in short, is that, the petitioner allegedly entered the informant's house at night, gagged and assaulted her with intent to commit rape, fled on alarm after threatening her, and later his sons abused and threatened her.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of two



days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that victim has also denied to give her statement under Section 164 of the Cr.P.C. Learned counsel further submitted that as per paragraph 82 of the case diary, the injury sustained by the informant is simple in nature. Learned counsel further submitted that petitioner is an old man of about 65 years and both the parties are co-villagers and there is dispute between them regarding cultivable land and the same is supported by the witnesses during investigation as per paragraph nos. 99, 100 and 101 of the case diary. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.07.2025 and has no criminal antecedent.

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 of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Munger Muffasil



P.S. Case No. 95 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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