

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5711 of 2025

Arising Out of PS. Case No.-395 Year-2024 Thana- KONCH District- Gaya

Santu Kumar @ Santu Yadav S/o Ramkrit Yadav R/o Village- Mok, P.S.-
Konch, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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

ORAL ORDER

3 05-05-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Konch
P.S. Case No. 395 of 2024 instituted for the offence under
Section 64 of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, accusation against the
petitioner is of committing rape upon the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-09-2024. Petitioner
bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The petitioner claims false implication in a rape case driven by family rivalry, emphasizing that he was not caught at the scene but arrested later from home. Learned counsel for the petitioner argued that the victim, a married woman aged 25, may have consented, and medical reports show no signs of sexual assault or injury. As a close paternal cousin of the victim, the petitioner counsel contends the allegation is improbable and baseless. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim in her statement recorded under Section 183 of the BNSS, 2023 has fully supported the prosecution case. Moreover, as per medical report, doctor has opined that recent sexual intercourse cannot be denied.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation of rape against the petitioner, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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