

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13472 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- KANGLI District- West Champaran

Munna Miyan S/O Mannawar Miyan R/O Village- Gadh Gamhariya, P.S- Kangali, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajesh Bin S/O Jhaman Bin R/O Village- Ganda Gamahariya, P.S- Kangali, Distt.- West Champran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap
For the Opposite Party/s : Mr.Indu Kumari Srivastava

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 08-10-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner is apprehending his arrest in Kangali
P.S. Case No. 65 of 2024 registered under Sections 64, 351(3) of
B.N.S.S.

3. Allegedly, while the informant's daughter went out to
defecate, the co-accused Khobhari Bin @ Ramashish Mukhiya
is said to have committed rape upo Kangali P.S. Case No. 65 of
2024 n her.

4. It has been submitted on behalf of the petitioner that the
victim in her statement recorded under Section 183 of BNSS has
specifically stated that the co-accused committed rape upon her.



The petitioner, according to her statement, was not present at the spot and he came at the spot after receiving the phone call. The victim has specifically stated that the petitioner did not commit any misdeed with her. She has specifically stated that it was the co-accused Khobhari Bin @ Ramashish Mukhiya, who committed rape upon her.

5. On the otherhand, Mr. Shailendra Kumar, learned APP has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Kangali P.S. Case No. 65 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey, J)

A.K.V.//-

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