

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22648 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- MAHILA PS District- Gaya

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Randhir Kumar, S/o Jitendra Chaudhary @ Jitendra Kumar @ Jitan Chaudhary, R/o village - Alampur, P.S.- Alipura, Alipur, Distt.- Gaya, Bihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anmol Kumar, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Mahila Thana P.S. Case No.15 of 2024 registered for the offences punishable under Sections 323, 376, 504 and 506 read with 34 of the Indian Penal Code (in short 'IPC').

3. The accused/petitioner is named in the FIR and is in custody since 14.11.2024.

4. Allegation against the petitioner is to commit rape upon informant aged about 22 years old.

5. It is submitted by learned counsel appearing for petitioner that the petitioner has been implicated on instance of husband of victim/informant, as there was land dispute



between the petitioner and husband of the victim. It is submitted that relationship was consensual, which can be gathered from the FIR itself, as same was reported to the police when the relationship came into the knowledge of the husband of victim. It is submitted that nothing transpired upon medical examination of victim, which may corroborate the allegation as alleged. It is submitted that during investigation, the independent witnesses have stated through their statement recorded under Section 161 of the Code of Criminal Procedure (in short 'CrPC') that the victim has falsely implicated the petitioner with this case out of land dispute. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner claimed clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as petitioner *prima facie* appears to be



implicated in the background of land dispute, where occurrence appears to be reported only when the relationship came into the knowledge of the husband of victim/informant, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 14.11.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Gaya in connection with Mahila Thana P.S. Case No.15 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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