

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21648 of 2025

Arising Out of PS. Case No.-239 Year-2023 Thana- JALALGARH District- Purnia

Khuddu Hembram @ Bikash Hembram @ Khuddu Kumar Son of Pandu
Hembram Resident of Village - Mishrinagar Ward No.-09, P.S. - Jalalgarh,
District - Purnia

... .. Petitioner/s

Versus

1. The State of Bihar
2. X, Resident of Village - Mishrinagar Ward No.-09, Panchayat - Dansar, P.O.
- Ahilgawan, P.S. - Jalalgarh, District - Purnia

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

3 15-07-2025 Heard Mr. Md Ziaul Quamar, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with
Jalagarh P.S. Case No. 239 of 2023 instituted for the offences
under Sections 376, 323, 324, 506, 313, 420 of the Indian Penal
Code.

3. Accusation against the petitioner is of commission
of rape upon the victim.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel further submitted that earlier, a



complaint case was filed by the complainant and later on, under Section 156(3), an FIR was registered. Learned counsel further submitted that the entire prosecution case is false and concocted one and the same has been filed by the complainant to pressurize the petitioner to marry her. Learned counsel further submitted that petitioner neither committed rape upon the complainant nor promised to marry her. He further submitted that complainant/victim is major. Learned counsel further submitted that, as a matter of fact, the complainant has also lodged one other case against the petitioner under Section 498A and other allied Sections of I.P.C. to harass him. Medical report also does not support the allegation as levelled in the complaint. Learned counsel further submitted that police, without proper investigation submitted charge-sheet against the petitioner under Section 376 of the IPC. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.11.2024 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has supported the contents of the FIR.



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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jalagarh P.S. Case No. 239 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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