

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31350 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- KHANPURA District- Samastipur

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Ankit Kumar S/O Ram Suhag Sahni @ Ram Sohag Sahani R/V- Karua Chowk, P.S- Khanpur, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruchi Kumari D/O Shrawan Mahto R/O Tedaha, P.O- Masina, P.S- Khanpur, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-09-2025 Heard the parties.

2. The petitioner seeks bail in connection with Khanpur P.S. Case No. 02 of 2024 registered for the offences under Sections 341, 323, 354B, 376, 379, 385 and 506/34 of the Indian Penal Code.

3. The petitioner is named in the F.I.R. and is in custody since 05.11.2024.

4. The allegation against the petitioner is to commit rape upon informant aged about 20 years.

5. Learned counsel appearing on behalf of the petitioner submitted that victim/informant went along with petitioner to hotel out of her own consent and free will, where alleged rape was nothing, but a consensual physical relation.

It is submitted that as one of the co-accused recorded the



video of the occurrence, therefore, the present allegation was raised against petitioner. It is submitted that victim travelled on motorcycle with petitioner for long 20 kilometers as pillion rider in unconscious condition, cannot be believed by any prudent imagination. It is submitted that upon medical examination no recent sign of sexual assault was noticed upon victim which further falsify the allegation of rape. It is also submitted that if statement of victim be taken into consideration then occurrence took place in a room of hotel at Samastipur, but no staff of the said hotel was examined neither any material in support of allegation was collected, therefore, which also falsifying the allegation. While concluding the argument it is submitted that investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel appearing on behalf of the informant, could not disputed aforesaid factual submission and submitted that allegation of rape is specifically available against this petitioner.

7. In view of aforesaid factual submission and by



taking note of fact overall accusations as raised by informant/victim against this petitioner, where medical report of victim categorically suggest that she was not abused sexually recently, coupled with the fact as petitioner remains in custody since 05.11.2024, accordingly above named petitioner, is directed to be released on bail in connection with Khanpur P.S. Case No. 02 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Rape & POCSO), Samastipur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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