

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32145 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- NAVINAGAR District- Aurangabad

Prabhat Kumar @ Munchun S/O Bijay Kumar Singh R/O Village- Simari
Jaitiya, P.S- Nabinagar, Distt.- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr. Bindhyachal Singh, Sr. Advocate Mr.Vipin Kumar Singh, Advocate Ms.Nikita Mittal, Advocate Ms.Diksha Singh, Advocate
For the Opposite Party/s :	Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 25-11-2025 Heard Mr. Bindhyachal Singh, learned senior

counsel appearing on behalf of the petitioner and learned

A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Nabinagar P.S. Case No. 18 of 2025 registered for the
offences under Sections 140, 70(1) & 3(5) of the Bhartiya
Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is not named in the First
Information Report and is in custody since 19.01.2025.

4. As per FIR, some unknown persons/miscreants
committed rape upon the informant aged about 20 years
while she visited outside with her boyfriend namely, Salman



Khan.

5. Mr. Bindhyachal Singh, learned senior counsel appearing for the petitioner, submitted that name of the petitioner surfaced in this case out of confessional statement of co-accused Rahul Kumar and also out of secret input provided by police spy, in furtherance of which no incriminating material recovered/surfaced during investigation to connect the petitioner with the present crime in question. It is submitted that petitioner was not even put on TIP as yet in the present case.

6. Arguing further, Mr. Singh, submitted that except suspicion nothing survives against the petitioner. Petitioner appears implicated in the present case out of confessional statement of his friend namely, Rahul Kumar.

7. It is further submitted by Mr. Singh that despite custody period of about 11 months, even trial of this case is not concluded, which is against the legal provision as available under section 346(1) of the B.N.S.S. where every such type of cases shall be concluded within two months from the date of submitting charge-sheet.



8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by taking note of the fact as except suspicion, as discussed aforesaid, nothing incriminating surfaced during investigation to connect the petitioner *prima facie* with the present crime in question, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 19.01.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Aurangabad/concerned court, in connection with Nabinagar P.S. Case No. 18 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

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