

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36666 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- SURYAGARHA District- Lakhisarai

Vishal Yadav @ Vishal Kumar S/O Bilash Yadav @ Ram Bilash Yadav R/O
Village- Nawabganj, P.S- Surajgarha, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
For the State	:	Mr. Md. Matloob Rab, APP
For the Informant	:	Mr. Amritesh Kumar Singh, Advocate
		Mr. Dharmendra Kumar Raju, Advocate
		Mr. Syed Asgher Najmi, Advocate

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

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the informant. Perused

the case diary.

2. The petitioner seeks bail in connection with

Surajgarha P.S. Case No. 22 of 2025 instituted for the offence

under Sections 331(4), 305, 70(1), 109(1) & 3(5) of the

Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that on January 23,

2025, at 1 A.M., multiple accused entered into the informant's

home to commit robbery. When the informant's wife woke up

and screamed for help, they dragged her to a nearby wheat field

and raped her until she became unconscious.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23-01-2025. Petitioner bears two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that age of the victim is 70 years at the time of statement recorded under Section 183 of the BNSS, 2023 and it is highly improbable that accused have committed rape upon her and the entire case is fabricated. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that there is direct allegation against the petitioner that he along with other co-accused persons took the wife of the informant towards wheat field and committed gang rape due to which she became unconscious. All the witnesses have supported the prosecution case. Victim in her statement recorded under Section 183 of the BNSS, 2023 has supported the factum of the prosecution case.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, there being direct



allegation against the petitioner, which is corroborated by the statement of the victim recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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