

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39520 of 2025

Arising Out of PS. Case No.-1 Year-2024 Thana- MAHILA PS District- East Champaran

Ravindra Kumar Sahani @ Rabindra Kumar Son of Bhuto Sahani @ Bhuta
Sahani Resident of Village- Sapahi, P.S.-Turkauliya, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Advocate
For the State : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-08-2025 Heard Mr. Dhurendra Kumar, learned counsel for the

petitioner and Mr. Chandra Sen Prasad Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.01.2025 in connection with Mahila P.S. Case No. 01 of 2024,
F.I.R. dated 25.01.2024 for the offences punishable under Sections
376, 420, 120B of the IPC.

3. According to prosecution case, the petitioner is said to
have committed rape upon the victim on the false pretext of
marriage.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been implicated
in the present case. He further submits that the allegation as alleged
in the F.I.R. is false and fabricated and the petitioner has not
committed any offences as alleged in the F.I.R. It appears from the
FIR itself that date of occurrence as alleged in the FIR is



21.12.2023 but the present FIR has been instituted on 25.01.2024 i.e. after delay of about 36 days without giving explanation for delay. It is further submitted that statement of the victim has been recorded under Section 164 of the Cr.P.C./ 183 of the BNSS, 2023 in which she has catagorically stated that the present FIR has been instituted only after the petitioner has refused to marry with her. The petitioner is in custody since 04.01.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that although the FIR has been instituted after delay of 36 days, but there is direct and specific allegation against the petitioner that he has committed rape upon the victim on the false pretext of marriage and she has fully supported the prosecution case.

6. Considering the facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection Mahila P.S. Case No. 01 of 2024 pending in the court of learned C.J.M., Motihari, East Champaran.

7. Prayer is refused.

8. However, the petitioner may renew his prayer for bail after framing of charge.

(Rajesh Kumar Verma, J)

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