

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39728 of 2025

Arising Out of PS. Case No.-298 Year-2024 Thana- KHIJARSARAI District- Gaya

Pukar Chandravanshi @ Rohit Kumar @ Ram Pukar son of Ripu Ram @
Indradev Ram R/o Village- Karwar Police Station- Khizersarai District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khizersarai P.S. Case No. 298 of 2024 instituted for the offences
under Section 64 of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, the petitioner along with
his friends is alleged to have given intoxicating drink to the
informant due to which she became unconscious and, thereafter,
they committed wrong with her.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that on perusal of the FIR, it
is apparent that victim, who is major, left her house on her own



sweet will and this petitioner never gave compulsion. It is also evident from the FIR itself that she has lodged the present case merely on suspicion. Learned counsel further submitted that there is a delay of more than two months in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that medical evidence does not support the allegation as levelled in the FIR. It has been submitted on behalf of the petitioner that the petitioner is in custody since 26.02.2025 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 183 Bharatiya Nagarika Suraksha Sanhita, 2023 has specifically stated that the accused persons including the petitioner committed rape upon her.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.



9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

