

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40445 of 2025**

Arising Out of PS. Case No.-42 Year-2025 Thana- SHIVSAGAR District- Rohtas

Shivam Patel Son of Pramod Patel @ Jai Prakash Chaudhary Resident of
Village- Rasendua, P.s.- ShivSagar, Distt.-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

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

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Shiv
Sagar P.S. Case No. 42 of 2025 instituted for the offences under
Sections 126(2), 115(2), 76, 352, 351(2) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against the
petitioner is of attempting to outrage the modesty of the
Informant and also tried to make the Informant sit in his bike
with an intent to commit rape upon her. When she protested for
the same, then the petitioner assaulted her with fist and slap. On
hulla being raised, he fled away from there.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner has not committed any offence as alleged in the F.I.R. Both the parties are co-villagers and there is some petty dispute between them. He further submits that there is delay of one day in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 26.03.2025 without any rhyme or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of Court below/concerned Court in connection with
Shiv Sagar P.S. Case No. 42 of 2025.

(Rudra Prakash Mishra, J)

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