

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45427 of 2025

Arising Out of PS. Case No.-416 Year-2024 Thana- CHANDI District- Nalanda

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Dipu Kumar @ Dipu Sharma S/O Anuj Sharma Resident Of Village- Hasepur,
PS- Chandi, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 10-09-2025 Heard learned counsel for the petitioner and Mr. B.N. Pandey, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 64 and 3(5) of the BNS.

3. The case of the prosecution is that the petitioner along with others have taken away the deaf and dumb mother of the informant on an auto and it is alleged that one of them committed rape.

4. Learned counsel for the petitioner has submitted that in this case, the name of this petitioner has surfaced on the statement of the owner of the auto who has stated that he has handed over his auto to three boys including this petitioner. During course of investigation, the statement of the victim has



been recorded under Section 183 of the BNSS with the help of interpreter. She has stated in her statement that three boys took her on an auto and one of them committed rape with her but she has not identified anyone. Learned counsel for the petitioner has also submitted that when the victim was presented for medical examination she refused for any kind of medical checkup. As there is allegation of rape, medical examination of the victim was necessary which has not been conducted on the instance of the victim herself, moreover, the victim has not identified any of the accused. From perusal of the diary it also transpires that the petitioner and two others have confessed their guilt but save and except the confession, nothing is there against the accused. The petitioner is in judicial custody since 16.08.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with S.Tr. No. 993 of 2024 arising out of Chandi P.S. Case No. 416 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Additional Sessions Judge-I, Hilsa (Nalanda).

(Ashok Kumar Pandey, J)

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