

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44606 of 2025

Arising Out of PS. Case No.-162 Year-2024 Thana- NAUTAN District- West Champaran

Sandeep Kumar S/o Baliram Yadav R/o vill - Ward No 07, Gopalpur, PS-
Sathi, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neha Kumar D/O- Balesh Sahani, R/O- Pandey Tola Mallah Toli,P.S.-
Nautan, Dist- West Champaran, Pin Code- 845453

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Gupta, Adv
For the Opposite Party/s	:	Mr. Harendra Prasad, APP
For the Informant	:	Ms. Deepshikha, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-11-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Nautan P.S. Case No. 162 of 2024 registered for the offences punishable under Sections 376 and 420 of the Indian Penal Code and Section 67 of the IT Act.

3. As per FIR, which is founded upon complaint case bearing no. 6532 of 2024 as filed before learned Chief Judicial Magistrate, West Champaran, Bettiah, it is alleged that complainant who was 19 years old, was raped repeatedly by co-accused Nitesh Kumar on 27.02.2024. This petitioner was said to be one of the close associate of main co-accused Nitesh Kumar



with whom photo and video of private moment of complainant was available and was ready to make it viral and for so was waiting for the instructions of main co-accused Nitesh Kumar.

4. Learned counsel appearing on behalf of the petitioner submitted that present complaint was filed after two months of the alleged occurrence, which subsequently converted into FIR for the simple reason as marriage between the parties could not solemnize for certain social/family reasons. It is submitted that allegation of rape is not available against this petitioner and he was only in possession of videographs and photographs as sent by main co-accused. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for anticipatory bail fairly conceded that allegation of rape is not available against this petitioner.

6. In view of aforesaid facts and circumstances and by taking note of the fact as prima-facie allegation of rape not appears available against this petitioner, who is a man of clean antecedent, accordingly the petitioner above named, in the event of his arrest or surrender before the learned trial court within a



period of four weeks, is directed to be released on bail, furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah/concerned trial court where the case is pending in connection with Nautan P.S. Case No. 162 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C./ Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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