

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46651 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- BIKRAM District- Patna

Ashok Kumar @ Ashok Singh S/O Late Raghav Prasad Singh R/O
Chichaurha, P.S- Bikram, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 64 of the BNS.

3. The case of the prosecution, in short, is that when the informant had gone to attend Shiv Charcha in his village and returned home, her daughter-in-law, namely, Shobha Devi informed her that the petitioner had committed a wrongful act with her daughter in a house used for storing straw, where she was found in a semi naked condition and the petitioner was also found naked. It is further alleged that when the informant's daughter-in-law reached the place of occurrence, petitioner fled away.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the instant case has been instituted out of malice. It is further submitted that during the course of investigation, the medical examination of the victim was conducted but the doctor did not find any external or internal injury on her body. Though, it has been stated in the FIR that the victim is mentally ill but no document has been produced to substantiate that she was suffering from any mental illness when she was examined by the doctor. It is also submitted that the statement of the victim ought to have been recorded with the help of special assistance. It is further submitted that since there is no mark of injury on her private parts, at best, the allegations even if accepted in their entirety, make out a case of attempt to commit rape. Moreover, the petitioner is languishing in judicial custody since 31.03.2025 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid 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 Bikram P.S. Case No. 137 of 2025 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-VI, Danapur, Patna.

(Ashok Kumar Pandey, J)

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