

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52286 of 2025

Arising Out of PS. Case No.-1041 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Chandra Kishore Sharma S/o Garib Das @ Gareeb Chandra Sharma R/o
Village- Patuaha Ward No. 05/24, P.S.- Saharsa Sadar, District- Saharsa, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 12-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Saharsa Sadar P.S. Case No. 1041 of 2024 registered for the
offence under Sections 379, 376, 506 of the I.P.C.

3. The petitioner is named in the F.I.R. and is in
custody since 30.03.2025.

4. The present FIR, is on the basis of complaint case
no. 170C of 2024 as filed before learned CJM, Saharsa,
wherein it is alleged that this petitioner committed rape upon
the complainant aged about 32 years on 20.02.2024 at 1 AM
after criminal trespass to the house of complainant.

5. Learned counsel appearing on behalf of the



petitioner submitted that petitioner falsely implicated with present case out of neighborhood dispute and differences. It is submitted that after investigation police submitted charge-sheet under Section 376 and 511 of IPC finding this case as an attempt to commit rape making the version of complaint out rightly false. It is submitted that the alleged occurrence took place on 20.02.2024 for which even the complaint was lodged on 01.08.2024 i.e., almost after about 6 months. While concluding the argument, it is submitted that petitioner is found involved in two more criminal case of different nature where he is on bail and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP while opposing the prayer of bail submitted that allegation is specifically against petitioner.

7. In view of aforesaid factual submission and by taking note of fact as complaint in issue was lodged after 6 months of the occurrence where police after investigation submitted charge-sheet for attempt of rape *prima-facie* making a doubt *qua* version of complainant as raised through



her complaint petition, coupled with fact that investigation of this case already completed where petitioner remains in custody since 30.03.2025, accordingly petitioner above named, is directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 1041 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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