

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54554 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- KOTWA District- East Champaran

Anand @ Anand Kumar Singh S/o Surendra Singh Resident Of Village-
Bishunpur, Ps- Kotwa (Bhapatpur), Dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X R/O Village- Pokhra, P.S.- Kotwa, District- east Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pravin Kumar, Adv.
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Kundan Rathore, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 17-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Kotwa
P.S. Case No. 17 of 2025 registered for the offence under
Sections 64(1), 351(1) of BNS.

3. The petitioner is named in the F.I.R. and is in
custody since 03.05.2025.

4. The allegation against the petitioner is to commit
rape upon informant who is a married lady aged about 23
years.

5. Learned counsel appearing on behalf of the
petitioner submitted that it can be easily gathered from the



statement of victim recorded under Section 183 of BNSS, that she was in relation with this petitioner much prior to her marriage which took place in the year 2022, i.e., since 2016. It is submitted that petitioner and informant were social media friend and out of said acquaintance and relationship petitioner as per will of informant started to visit her matrimonial home in absence of her husband out of which she became pregnant and accordingly, the present false allegation was raised. It is submitted by learned counsel that the fact and allegation collectively suggest that this is a case of extra marital affairs. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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 duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that the allegation is specific against this petitioner.

7. Let it be so, as it appears that petitioner was in relation with informant much prior to her marriage where the



factual aspect of this case suggests that the petitioner visited in matrimonial home of informant where occurrence alleged to be taken place, and occurrence reported only when it came to the knowledge of family members and society at large, coupled with fact that investigation of this case already completed where petitioner remains in custody since 03.05.2025, accordingly petitioner above named, is directed to be released on bail in connection with Kotwa P.S. Case No. 17 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st Class, East Champaran, Motihari /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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