

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59296 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- BHUTAHI District- Sitamarhi

Vinay Kumar S/o Ram Ishwar Mahto @ Ram Ishvar Mahto R/o Village-
Dhanha Tiwari Tola, P.S.- Bela, Dist.- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar
2. Aarti Devi W/o Krishn Sah R/o Village- Dhanha Tiwary Tola, P.S.- Bela,
Dist.- Sitamarhi

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection

with Bhutahi P.S. Case No. 55 of 2025 registered for the

offences under Sections 64(1), 62, 117 of the Bhartiya Nyay

Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First

Information Report and is in custody since 02.07.2025.

4. Allegation against the petitioner is to made an

attempt to commit rape upon the informant who is a married

lady and mother of two children.



5. It is submitted by learned counsel appearing on behalf of the petitioner that as the petitioner is the friend of husband of the informant/victim, he had given Rs. 55,000/- to the husband of the informant as loan and when the petitioner demanded the aforesaid money, instead of paying the same, the present false implication of attempt for committing rape upon the informant, was raised against the petitioner.

6. It is further submitted that one scuffling regarding aforesaid financial transaction took place with the brother-in-law of informant, but as he fell down during occurrence and received certain injuries, to aggravate the allegation, the present false implication was raised, which is apparent from the injury as received by brother-in-law of the informant.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already concluded, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the



prayer for bail of the petitioner.

9. Considering the facts and circumstances as mentioned above and by taking note of the overall nature of accusation, where investigation of this case is already completed, coupled with the fact that petitioner, who is a man of clean antecedent, remains in custody since 02.07.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Sitamarhi/concerned court, in connection with Bhutahi P.S. Case No. 55 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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