

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63720 of 2025

Arising Out of PS. Case No.-272 Year-2025 Thana- BIDUPUR District- Vaishali

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1. Nitish Kumar S/O Indrajit Paswan R/O Vill.- Panapur Dilawarpur, Panapur Dilavpur Govardhan, P.S.- Bidupur, District- Vaishali
 2. Vivek Kumar @ Golden Kumar @ Golden S/O Sanjay Paswan R/O Vill.- Panapur Dilawarpur, Panapur Dilavpur Govardhan, P.S.- Bidupur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ravish Mishra
For the Opposite Party/s :	Mr. Rabindra Kumar, APP
	Mr. Raja Ram Rai, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2025 1. Heard learned counsel for the petitioners, learned A.P.P. for the State, Sri Rabindra Kumar, and the learned counsel appearing on behalf of the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118(1), 78, 75, 79, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that petitioners along with 4-5 unknown accused used to harass her daughter while she used to go to coaching and also tried to take her mobile number forcefully, further on 13-4-2025, the accused persons including the petitioners came and dragged



her daughter out of the home and tried to commit rape on public roads and also assaulted her by lathi and danda, when her husband, Mithilesh, tried to save his daughter, he was assaulted by Nitish by lathi causing injury on head, thereafter the injured was taken to PHC.

4. The learned counsel for the petitioners submits that the date of occurrence is 13-4-2025 and the FIR came to be instituted on 15-4-2025. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that the accused persons including the petitioners were harassing her daughter and on the date of occurrence, they came to her house and thereafter dragged her daughter on the public road and tried to commit rape. It is submitted that it absolutely does not stand to reason that if petitioners had any intention of acting inappropriately with the daughter of the informant, why they would have dragged her outside the house on public road for committing the occurrence. It is next submitted that the informant, despite being aware of her relationship with petitioner No. 1, deliberately chose to conceal the same. It is submitted that Nitish is cousin-brother of the victim girl but then an impression in the FIR has been given as if some criminals were after the victim. It is also submitted



that on account of dispute in between the family relating to property, the present false case came to be instituted.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that the FIR was instituted after a delay of two days and the informant in the FIR concealed her relationship with Nitish.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bidupur P.S. Case No. 272 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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