

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65474 of 2025

Arising Out of PS. Case No.-269 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Vivek Kumar Jha Son of Mohan Jha Resident Of Village -Rahgunathpur, P.S.
- Majorganj, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Majorganj P.S. Case No. 269 of 2025 instituted for the offences
under Sections 126(2), 331(5), 115(2), 64, 62, 351(2), 351(3) of
the Bharatiya Nyaya Sanhita, 2023.

3. Accusation against the petitioner is of trying to
commit rape upon the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that both the parties are next
door neighbours and the entire allegation levelled against him is



false and concocted and, as a matter of fact, the informant falsely implicated the petitioner in the present case when she was not able to repay amount/loan taken from the petitioner and in support of his submission, the learned counsel referred to Annexure-2 Series to the present application. Learned counsel further submitted that both parties are major and from perusal of FIR, no offence under Section 64 of the Bharatiya Nyaya Sanhita is made out. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.07.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majorganj P.S. Case No. 269 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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