

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67137 of 2025

Arising Out of PS. Case No.-149 Year-2025 Thana- BARARI District- Katihar

=====

Fago Mandal @ Fhegu Mandal S/O Janki Mandal R/O Vill. - Ward No. 1,
Govindpur Mohanpur, P.S.- Pirpainti, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Barari

P.S. Case No. 149 of 2025 registered for the offence under
Sections 64(1) of BNS.

3. The petitioner is named in the F.I.R. and is in
custody since 21.05.2025.

4. The allegation against the petitioner is to commit
rape upon informant aged about 38 years while working in
field.

5. Learned counsel appearing on behalf of the
petitioner submitted that the agricultural field, in issue, was
taken on lease by this petitioner also from the same landlord



and therefore, certain disputes surfaced regarding cultivation. It is pointed that out of said differences the present false implications was raised. It is submitted that nothing surfaced during medical examination which may suggest that rape was committed upon informant.

6. Arguing further, it is submitted that the charge-sheet submitted long back in this case on 30.06.2025, vide charge-sheet no. 249/2025 against petitioner, therefore in view of Section 346 (1) of BNSS, trial must be concluded within two months' thereafter i.e., by end of August, 2025, but still not even a single witness was examined by the learned trial court. 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.

7. Learned APP opposes the prayer of bail.

8. In view of aforesaid factual submission and by taking note of fact as allegation of rape *prima-facie* appears to be raised in the background of cultivation related dispute,



where despite of custody of petitioner for about 6 months’ not even a single witness was examined defeating the timeline as provisioned under Section 346 (1) of BNSS, accordingly petitioner above named, is directed to be released on bail in connection with Barari P.S. Case No. 149 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 ACJM 01, Katihar /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

