

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67140 of 2025

Arising Out of PS. Case No.-359 Year-2025 Thana- WARISLIGANJ District- Nawada

Dharmendra Kumar @ Dharo Kumar@ Velbhadra Kumar Chandravanshi Son
of Ashok Singh Resident of Village - Abdalpur, P.S.- Warisaliganj, District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv
	:	Mr. Shankar Kumar, Adv
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP
For the Informant	:	Mr. Birendra Kumar, Adv
	:	Mr. Kumd Kishore, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 04-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Warisaliganj P.S. Case No. 359 of 2025 registered for the offence under Sections 329(4), 126(2), 74, 64, 351(2) and 123 of the BNS.

3. The petitioner is named in the F.I.R. and is in custody since 08.07.2025.

4. The allegation against the petitioner is to commit rape upon informant aged about 35 years and also harass sexually the minor daughter of informant aged about 8 years.

5. Mr. NK Agrawal, learned sr. counsel appearing on behalf of the petitioner submitted that petitioner was in love with informant who is a married



lady and out of which he established physical relationship consensually. It is submitted that this fact can be gathered from the statement of minor daughter of informant also as petitioner along with her mother (informant) usually offered intoxicated milk to her. It is submitted that factual aspect of this case suggest extra-marital affair of this petitioner with informant and when on one occasion both of them were apprehended by co-villagers upon alarm of minor daughter, present false case was lodged. 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 allegation is specifically available against this petitioner as to commit rape upon informant. The allegation of outraging the modesty of minor daughter of informant is also available against petitioner.

7. In view of aforesaid factual submission and by taking note of statement of minor daughter of



informant as recorded under Section 183 of the BNSS, prima-facie where she speaks to administer intoxicant to her by both petitioner and her mother, which suggest prima-facie extra-marital affair, coupled with fact as investigation of this case already completed where petitioner remains in custody since 08.07.2025, accordingly petitioner above named, is directed to be released on bail in connection with Warisaliganj P.S. Case No. 359 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 A.C.J.M. IVth, Nawada/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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