

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67816 of 2025

Arising Out of PS. Case No.-292 Year-2024 Thana- ADAPUR District- East Champaran

Bacha Shani @ Bachcha Sahani @ Bachcha Sahni S/o Chandrika Sahani, R/o
vill - Jhitakahiya, P.s. - Adapur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Bail petition no. 1686 of 2025, arising out of Adapur P.S.
Case No. 292 of 2024 registered for the offences under
Sections 123 and 64 of Bharatiya Nyaya Sanhita.

3. The petitioner is named in the F.I.R. and is in
custody since 12.06.2025.

4. The allegation against the petitioner is to
commit rape upon the informant who is a married lady aged
about 40 years.

5. Learned counsel appearing on behalf of the
petitioner submitted that the informant is a lady of



questionable character and as after deserting her husband she lives here and there and on one such occasion while she was returning after attending a village fair with this petitioner, she asked for lift, which upon refusal the present false case has been lodged against him. It is submitted that upon medical examination nothing transpired, which suggests that rape was committed upon the victim. While concluding the argument it is submitted that, petitioner is a man of clean antecedent and moreover, investigation of this case has concluded long back, chargesheet appears submitted on 07.09.2025 *vide* chargesheet no. 457/25, but till now, not even a single prosecution witness has been examined, which is in complete defiance of legal provisions as available under Section 346(1) of the BNSS.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of overall nature of allegations where medical examinations also not appears corroborating with the allegations as raised against the petitioner, coupled with the



fact the investigation in this case is already concluded and the petitioner remains in custody since 12.06.2025, and further the timeline as provisioned under Section 346(1) of the BNSS also not appears followed, accordingly above named petitioner, is directed to be released on bail in connection with Adapur P.S. Case No. 292 of 2024, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge, Exclusive Special Judge/Rape and POCSO cases, East Champaran, Motihari/concerned Court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J)

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