

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72691 of 2025

Arising Out of PS. Case No.-32 Year-224 Thana- MAHILA P.S BAGHA District- West
Champaran

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Keshwar Gond S/O Chhabila Gond Resident of Village - Bauratwa, P.S.-
Dhanaha, Dist- West Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithvi Nath Mishra, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Sessions

Trial No. 582/2025 arising out of Mahila P.S. Case No. 32/2024

registered for the offence under Sections 376, 313, 323, 504, 34

of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 30.09.2024.

4. The allegation against the petitioner is to commit

rape upon the informant on false pretext of marriage.

5. Learned Counsel appearing on behalf of the petitioner

submitted that the informant/victim was residing with her

maternal uncle, where she developed love affairs with this

petitioner but her maternal uncle forcibly married her somewhere

in Rajasthan, from where she again returned and started to live



with this petitioner out of her love and affection. It is submitted that the relation of petitioner with the informant was not approved by the parents of this petitioner and, therefore, they abused and forcibly ousted the informant from their house, consequent upon, the present false implication was raised against this petitioner. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. It is also pointed out that despite the custody of about one and half years, not even charge could framed against the petitioner and, therefore, the trial of this case is not likely to conclude in near future. Petitioner claimed clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Considering the aforesaid factual submissions and by taking note of fact as allegation of rape against petitioner appears to be raised on the ground of false promise of marriage, coupled with the fact that investigation of this case is already completed, where petitioner being a man of clean antecedent, remains in custody since 30.09.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Sessions Trial No. 582/2025 arising out of Mahila P.S. Case No. 32/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned
Additional Sessions Judge-1st, Bagaha, West
Champaran/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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