

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70833 of 2025

Arising Out of PS. Case No.-373 Year-2025 Thana- WAJIRGANJ District- Gaya

Raju Kumar @ Raju Yadav Son of Vidyanand Yadav @ Vidayanand Yadav @
Vidya Yadav Resident of Village - Sudhani, Police Station - Wazirganj in the
District of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Braj Nandan Kumar Tiwary, Adv
For the Opposite Party/s	:	Mr. Prem Kumar Jha, APP
For the Informant	:	Mr. Robin Kumar, Adv
	:	Mr. Mahesh Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 373 of 2025 registered for the
offence under Section 70(1) of the BNS.

3. The petitioner is named in the F.I.R. and is in
custody since 25.06.2025.

4. The allegation against the petitioner is to commit
rape upon informant, who is a married lady aged about 35
years, while she was taking shelter in plant in order to save
her along with her children and in-laws out of previous
enmities with informant and others.

5. Learned counsel appearing on behalf of the



petitioner submitted that present case was lodged to counter the FIR lodged by petitioner's side, which has been registered as Wazirganj P.S. Case No. 361 of 2025 dated 07.06.2025. It is submitted that informant was made instrumental on the instance of her in-laws and husband to implicate petitioner with more aggravated allegation of rape. In this context, it is submitted that upon medical examination of victim which took within 48 hours of the alleged occurrence no external injuries and also injury in and around private part of the victim was not found particularly when victim alleged to be raped by five persons. While concluding the argument, it is submitted that petitioner found involved in one more case where he is on bail 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 of rape is specifically available against this petitioner.

7. In view of aforesaid factual submission and by



taking note of fact as prima-facie FIR appears to be lodged due to previous enmities, coupled with fact as investigation of this case already completed, where petitioner remains in custody since 25.06.2025, accordingly petitioner above named, is directed to be released on bail in connection with Wazirganj P.S. Case No. 373 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 Judicial Magistrate 1st Class, Gaya/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.)

S.Tripathi/-

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