

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71577 of 2025

Arising Out of PS. Case No.-75 Year-2025 Thana- EKANGARSARAI District- Nalanda

Nitish Kumar S/o Jamahir Mahto Resident of Village - Sirsiya Bigha, P.S -
Noorsarai, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binit Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 354(c), 376, 384, 385, 509, 504 and 506 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner has committed rape on gun point and also made video of the Act. It is further alleged that the petitioner threatened the informant to make the video viral.

4. Learned counsel for the petitioner has submitted that as per the FIR, the date of occurrence is 26.01.2022 whereas the FIR has been lodged on 12.04.2025. It is further submitted that from perusal of Annexure-P/4, it will transpire that the informant herself has denied for any kind of medical



examination. It has also been submitted by learned counsel for the petitioner that petitioner has also filed a case against the informant. It is further submitted that the delay in filing of the FIR is not explained and the petitioner is in custody since 16.07.2025.

5. Learned APP for the State vehemently opposed the bail application.

6. Considering the above facts and circumstances of the case and the fact that the informant herself has denied for any kind of medical examination, let petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Hilsa, District-Nalanda in connection with Ekangarsarai P.S. Case No.75 of 2025.

(Ashok Kumar Pandey, J)

Sanjay/-

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