

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72515 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- VIDYAPATINAGAR District- Samastipur

Govind Giri, S/o Ganga Giri, R/o- P.O. and P.S.- Vidyapati Nagar, District-
Samastipur, Bihar- 848101

... .. Petitioner

Versus

1. The State of Bihar
2. Shakunti Devi, W/o Amarnath Mahto, R/o Malkalipur, P.S.- Vidyapatinatgar,
Samastipur, Bihar

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection

with Vidyapati Nagar P.S. Case No.11 of 2025 registered for

the offences punishable under Sections 64 and 70(1) of the

Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the FIR and is

in custody since 13.02.2025.

4. As per FIR, the petitioner committed rape upon

daughter of informant aged about 35 years old while she

visited nearby temple. The victim is said to be mentally



challenged.

5. It is submitted by learned counsel appearing for petitioner that the petitioner has been implicated with this case due to bad village politics. It is submitted that the victim could not name this petitioner while recording her statement under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS'). It is also submitted that nothing incriminating transpires from medical examination of victim, which may support the occurrence of rape as alleged. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover the petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submissions and by taking note of fact as victim failed to name this petitioner while recording her statement under Section 183 of the BNSS, coupled with the fact that investigation of this case is



already completed, where petitioner remains in custody since 13.02.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (Rape and POCSO), Samastipur in connection with Vidyapati Nagar P.S. Case No.11 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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