

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73944 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- Kumarbagh District- West Champaran

Raghu Nandan Padit Son of Shankar Pandit @ Shankar Parit Resident of Vill.- Motichhapar, P.O.- Jadochhapar, P.S. - Kumarbagh, Dist - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Advocate Mr.Shyamlal Prakash, Advocate Mr.Raushan Raj, Advocate
For the State	:	Mr.Pushpa Sinha. IAPP
For the Informant	:	Mr.Sumit Kumar, Advocate Mr.Niraj Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2025 Heard learned counsel for the petitioner and learned APP for the State duly assisted by learned counsel for the informant.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Kumarbagh P.S. Case No. 156 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 64, 62, 352, 351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. As per FIR, the allegation against the petitioner is to made an attempt to commit rape upon the informant on 13.08.2025 at about 12:00



P.M. after criminal trespass into her house, where some altercation took place with her brother-in-law, where petitioner alleged to assault by using knife which caused knife injury in the finger of brother-in-law of the informant. It is alleged that threatening was also advanced by petitioner to make the naked video of the informant viral to social media.

4. Learned counsel appearing on behalf of the petitioner submitted that as some altercation took place between the brother-in-law and petitioner, the present false case was lodged by the informant, who is major and married lady out of village politics. It is pointed out that no injury report, as alleged, was brought on record or collected during investigation suggesting a doubtful allegation on its face. It is submitted that even while recording the statement under section 183 of the B.N.S.S., the victim could not stated anything regarding her naked video, which was captured by this petitioner and threatening was advanced to make the video viral on social media.



5. While concluding argument, it is submitted by learned counsel that petitioner is a man of clean antecedent and moreover, FIR was lodged after found days of the alleged occurrence without having any just explanation.

6. Learned A.P.P. for the State duly assisted by learned counsel appearing for the informant, while opposing the prayer for anticipatory bail of the petitioner, submitted that allegation against the petitioner is specific, however, he conceded that there is no injury report. He could not even disputed the contradictory statement of the victim as recorded under section 183 of the B.N.S.S.

7. In view of the aforesaid factual submissions and by taking note of contradictory statement of the victim as recorded under section 183 of the B.N.S.S. and also the background for raising present accusation, where petitioner is a man of clean antecedent, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on



furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Rape and POCSO Act, Bettiah, West Champaran/concerned court in connection with Kumarbagh P.S. Case No. 156 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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