

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78559 of 2025

Arising out of PS. Case No.-281 Year-2024 Thana- NAUTAN District- West Champaran

Nikhil Kumar @ Nikhil Chaudhary, S/o Suresh Chaudhary, R/o Village -
Purenderpur, P.S - Nautan, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s: Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-12-2025 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Nautan P.S. Case No. 281 of 2024, registered for the of-
fences punishable under Sections 376, 511, 323, 504, 506, 307
and 354(B) of Indian Penal Code and Section 27 of Arms Act.

3. The allegation against the petitioner is that on the
fateful day while the husband of the informant had gone to field
in the meanwhile the petitioner along with others entered into
the house of the informant and tried to commit rape upon her
besides the allegation of causing assault.

4. Learned Advocate appearing on behalf of the peti-
tioner submitted that with respect to occurrence which took



place on 04.06.2024, the present complaint has been filed on 20.06.2024 after delay of sixteen days but without any plausible reason. The present case is nothing but instituted in order to save the skin from the accusation levelled in Nautan P.S. Case No. Bettiah Mahila P.S. Case No. 23 of 2024, which has been instituted by sister of the petitioner against the husband of the informant, who had been charged with attempt to commit rape. To support the aforesaid contention, a copy of the FIR has been annexed as Annexure-P/2 to the bail application. It is further contended that the petitioner bears fair antecedent and he undertakes that he will fully co-operate the proceeding of the Court. Moreover, even if the allegation taken to be true no case much-less under Sections 376 and 307 IPC is made out besides the fact that victim has never been examined by the Doctor.

5. On the other hand, learned Advocate for the State opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the submissions advanced by learned Advocate for the respective parties and considering the unexplained delay of lodging the FIR coupled with the fact that prior to the institution of the present case the sister of the petitioner had instituted an FIR against the husband of the informant and the petitioner bears fair antecedent, let the petitioner above



named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Chief Judicial Magistrate, West Champaran at Bettiah in connection with Nautan P.S. Case No. 281 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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