

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78878 of 2025

Arising Out of PS. Case No.-6 Year-2024 Thana- MAHILA P.S. District- Banka

Sanjay Yadav @ Sanjay Kr. Yadav@ Sanjay Kumar Yadav S/o- Sahdev Yadav
Village- Thevari, Police Station- Katoriya, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 19-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Banka Mahila P.S. Case No. 06 of 2024, registered for the offences punishable under Sections 376 and 506 of the Indian Penal Code.

3. The allegation against the petitioner is of committing rape upon the informant who is 24 years married women alongwith other named accused persons on 15.03.2024 at about 11AM while she was returning from parental village. The petitioner is in custody since 14.07.2025.

4. Learned counsel appearing on behalf of the petitioner submitted that the informant is a married women and when she was deserted by her husband she was well taken care



of by the petitioner. It is submitted that by passing time the care as advanced by the petitioner was stopped and therefore he alongwith the Congress Yadav who is none but brother-in-law of the petitioner were implicated with present false case. It is submitted that the occurrence took place on 15.03.2024 but the FIR, in issue, was lodged on 30.03.2024 with delay of 15 days without any just explanation. It is also submitted that the victim refused to join medical examination in support of allegation and in support of same learned counsel drawn attention of this Court towards para no. 38 of case diary. While concluding the argument, it is submitted that petitioner is a man of clean antecedent 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.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as prima-facie the statement of informant qua occurrence not appears sterling in nature in want of medical report and delay in FIR as discussed aforesaid, coupled with fact that investigation of this case has already been completed where petitioner remains in custody since 14.07.2025.

7. Let the petitioner, above named, be released on bail



on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka/ concerned Court below in connection with Banka Mahila P.S. Case No. 06 of 2024.

(Sandeep Kumar, J)

Neha/-

U		T	
---	--	---	--

