

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75822 of 2025**

Arising Out of PS. Case No.-230 Year-2025 Thana- BIKRAMGANJ District- Rohtas

Sanjay Singh @ Sanjay Yadav Son of Shri Niwas Singh @ Sshrinivas Singh  
@ Shri Niwas Yadav Resident of village - Marauna, P.S.- Bikramganj, District  
– Rohtas. ... .. Petitioner/s

Versus

The State of Bihar. ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ashwani Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      12-11-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with  
  
Bikramganj P.S. Case No. 230/2025, registered for the  
  
offence under Sections 329(3), 126(2), 115(2), 64, 352,  
  
351(2), 3(5) of Bharatiya Nyaya Sanhita (BNS).

3. The accused/petitioner is named in the F.I.R. and  
  
is in custody since 02.05.2025.

4. The allegation against the petitioner is to commit  
  
rape upon the informant aged about 50 years, while sleeping  
  
outside her shop on intervening night of 07.04.2025 at about  
  
1:00 AM.

5. Learned counsel appearing on behalf of the  
  
petitioner submitted that the brother of the petitioner is the



accused of the murder case of the husband of the informant. It is submitted that as this petitioner is the Pairvikar of the aforesaid murder case, out of said oblique motive, the informant implicated falsely this petitioner with present case. It is submitted that medical report of informant is not supporting the allegation. It is also submitted by learned counsel that from the facial perusal of FIR, it transpires that upon first instance this petitioner started to press the neck of the informant, which is contrary to the intention *qua* allegation. It is also pointed out by learned counsel that if the version of FIR be taken into consideration then certainly the Sandal and mobile which was left by this petitioner at the place of occurrence must be seized but no such seizure list was prepared by investigating authority, which further creates a doubt *qua* occurrence. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence. Explaining criminal antecedent, it is submitted that petitioner found involved in one more criminal case, which is related with Excise i.e.



Bikramganj P.S. Case No. 219 of 2023, where he is on bail.

6. Learned APP duly assisted by learned counsel Mr. Praveen Kumar appearing on behalf of the informant while opposing the prayer of bail submitted that the petitioner is a man of criminal antecedent. It is pointed out that the specific allegation as to commit rape is available against petitioner, however, he could not disputed the factual submission as advanced by learned counsel appearing for the petitioner.

7. In view of aforesaid facts and circumstances and by taking note of aforesaid factual submission, which *prima facie* makes the statement of victim doubtful *qua* occurrence on its face, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 02.05.2025, accordingly, above named petitioner is directed to be released on bail in connection with Bikramganj P.S. Case No. 230/2025, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Bikramganj (Rohtas)/concerned Court, subject to the conditions as mentioned under Section 437(3)



of the Cr.P.C./Section 480(3) of BNSS, with further condition  
that:-

The learned trial court before accepting  
bail bond of the petitioner must verify his criminal  
antecedent and if petitioner found involved in any  
other criminal case except Bikramganj P.S. Case  
No. 219 of 2023, his bail bond shall not be  
accepted.

**(Chandra Shekhar Jha, J)**

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