

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81757 of 2025

Arising Out of PS. Case No.-747 Year-2025 Thana- JAHANABAD District- Jehanabad

Shailesh Das S/o- Jallu Das Village- Gonsa PS- Kalpa Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.M. Ashraf, Sr. Adv. Mr. Rana Hason, Adv. Mr. Homa Yunus, Adv. Mr. Shehan Ashraf, Adv.
For the Opposite Party/s	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Mr. Shehan Ashraf, learned counsel for the petitioner and the State.

2. The petitioner is in custody in connection with Jehanabad P.S. Case No. 747 of 2025 for the offence punishable under sections 64 of the BNS, 2023.

3. As per the prosecution story, the informant alleged that while going to attend the nature's call, the petitioner took her away and sexually assaulted her. This led to the FIR.

4. Learned counsel for the petitioner submits that due to land dispute, to implicate this petitioner who generally remains outside for his livelihood, was implicated. The submission is that the lady is married, she was medically examined at Sadar Hospital, Jehanabad and the report



(Annexure-2) clearly shows that neither she got any external injury nor there was any recent sign of sexual assault. He has no criminal antecedent, is in custody since 31st July 2025 and if granted bail, shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that allegation of sexual assault is there.

6. Allegation is there, the petitioner has remained in custody since 31.07.2025, the medical report do not support the prosecution theory, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Nothing recorded in the present order shall be taken at any point of time during the trial as the same has been opined only for the purpose of grant of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Principal Sessions Judge, Jehanabad in connection with Jehanabad P.S. Case No. 747 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

9. This Court would like to put on record its word of appreciation for Mr. Shehan Ashraf for the the proper assistance rendered in the matter.

(Rajiv Roy, J)

Vijay Singh/-

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