

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83929 of 2025

Arising Out of PS. Case No.-1031 Year-2022 Thana- BIHTA District- Patna

Om Prakash @ Pawan Kumar @ Laga @ Sanjit Kumar S/o Bashishth Yadav
@ Bashishth Narayan Yadav R/o Village - Machhalpur, Lai, P.S - Bihta,
District – Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and Mr.
Madhura Nand Jha, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 120B, 376D and 379 of the Indian Penal Code.

3. The case of the prosecution in short is that the victim has gone to ease herself in the fields and at that time certain accused persons arrived and snatched her mobile. When the victim demanded her mobile, she was tied and taken in the forest and it is alleged that the petitioner with 2-3 other persons have committed rape with her.

4. Learned counsel for the petitioner has submitted that from perusal of the medical report of the informant it is clear that the Doctor has found no sign of injury anywhere on the body, no injury on private part and has opined that “with



above details its difficult to say that rape has occurred with victim”. Learned counsel for the petitioner has submitted that the medical report is completely against the oral version and washes off all the allegations made against the petitioner. It has also been submitted that there is land dispute between the parties regarding which proceedings under Section 144 of the Cr.P.C. was initiated between the parties. Learned counsel for the petitioner has submitted that the petitioner is languishing in judicial custody since 05.09.2023.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer of bail to the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihta P.S. Case No. 1031 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Rape and POCSO Act, Patna.

(Ashok Kumar Pandey, J)

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