

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85944 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- NAKARDEI District- East Champaran

Jivnath Yadav Son of Basukit Rai Resident of Vill- Birta, PO- Noneyadih,
P.S.- Nakardei, District- East Chaparan, Bihar-845305

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mohd Rustam Hussain, Adv.
For the informant	:	Mr. Madhurendra Kumar, Adv.
For the Opposite Party/s	:	Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 09-01-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nakardei P.S. Case No. 02 of 2024 dated 01.08.2024 registered for the offences punishable u/ss 376 and 506 of the Indian Penal Code.

3. As per the prosecution case, on 29.05.2024, the petitioner entered the house of the informant and committed rape on her and recorded video and threatened that he would kill her son if she would disclose it to anyone. On the next day, the informant narrated whole story to her villagers. She has further alleged that the petitioner used to commit rape on her since long time by threatening to make the video viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 09.09.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the specific allegation of committing rape is against the petitioner. Learned counsel has further submitted that the victim in her statement recorded under Section 183 of the B.N.S.S. has supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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