

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89454 of 2024

Arising Out of PS. Case No.-205 Year-2024 Thana- DHARHARA District- Munger

Pushkar Kumar @ Pushkar Yadav @ Puchkarwa Yadav Son of Sikander
Yadav Resident of Village - Adalpur, P.S. - Dharahra, District - Munger, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anita Devi Wife of Late Anil Mandal Resident of Village - Adalpur, P.S. -
Dharahra, District - Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha
For the Opposite Party/s : Mr.Zainul Abedin

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Dharahra P.S. Case No.
205 of 2024 dated 28.08.2024 registered for the offences
punishable u/s 64(1) of the B.N.S.

3. As per the prosecution case, the petitioner is alleged
to have committed rape on the the informant.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. It is further submitted that when the petitioner went to
demand his money and the cost of the decoration then the



informant did not return the same and falsely implicated the petitioner in this case. It is further submitted that as per the medical report, no any injury mark was seen on perineal region and no sign of struggle was found on the private part of the victim. As per the statement of the victim recorded u/s 164 of the Cr.P.C., there is no allegation of committing rape on the informant rather the allegation against the petitioner is of molesting her. The victim has supported the prosecution in her statement recorded u/s 161 of the Cr.P.C., however, the victim in her statement recorded u/s 164 of the Cr.P.C has not supported the prosecution case which are contradictory in nature and creates doubt upon the prosecution case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Munger in connection with Dharahra P.S. Case No.



205 of 2024, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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