

07.07.2025
SI No.14
Mujahid
Ct No.25
(**Allowed**)

CRM (R) 73 of 2025

In Re: An application for bail under Section 483 of the B.N.S.S., 2023 filed on **24.06.2025** in connection with **Hirbandh** Police Station Case No. **24 of 2025** dated **03.04.2025** under Sections 329(4)/74/75/76/351(3) of the B.N.S., 2023.

And

In the matter of : **Rabindranath Soren @ Chape**
... Petitioner.

Mr. Arkaprabho Roy
... for the petitioner.

Mrs. Shaila Afrin,
Mrs. Ayana Dey
... ... for the State.

1. Learned counsel for the petitioner submits that there are contradictions in the allegations made in the FIR by the victim and the statement recorded under Section 183 of BNSS. Learned counsel further submits that there is also clear violation of Arnesh Kumar Vs. State of Bihar, MANU/SC.0559/2014 as the ground of arrest.

2. Learned counsel for the State has opposed the bail application. Learned counsel submits that the averment made in the statement under Section 164 Cr.P.C. clearly reveals the outraging of modesty of the victim by the petitioner. Learned counsel submits there is also statement of an eye-witness to corroborate the testimony of the victim.

3. The court has considered the submissions. The court at the stage bail has only to see the prima facie case. The probative value

of the witnesses cannot be examined at this stage. The charge-sheet has already been filed. The petitioner is in custody for the last more than three months. No useful purpose would be served by keeping the petitioner in custody as the trial may take a long time.

4. In the circumstances, petitioner is admitted to bail on furnishing a personal bond of Rs.10,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Khatra. Subject to the condition: (i) That the petitioner shall not visit the area within the jurisdiction of Police Station Hirbandh except for the purpose of attending the case or meeting the investigation officer; (ii) The petitioner shall also not threaten, intimidate or harass the victim or members of the family in any manner nor shall he contact the victim.

5. The application for bail is allowed.

6. All parties shall act on the basis of the server copy of the order downloaded from the official website of this Court.

7. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Dinesh Kumar Sharma, J.)