

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1136 of 2026

Arising Out of PS. Case No.-96 Year-2025 Thana- KURSAILA District- Katihar

Shyamal Kumar S/o- Anjan Mahaldar R/v- Balathi Maheshpur, Ward no 3, PS-
Kursela, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 09-04-2026 Heard Mr. Sanjeev Kumar Singh, learned counsel for
the petitioner and Mr. Murli Dhar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
22.05.2025 in connection with Kursela P.S. Case No. 96 of
2025, F.I.R. dated 21.05.2025 for the offences punishable under
Section 64 of the BNS, 2023.

3. According to prosecution case, this petitioner has
committed rape upon the victim and also threatened to kill her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
FIR is false and fabricated and the petitioner has not committed
any offence as alleged in the FIR.



5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 183 of the BNSS, 2023 in which she has stated that the petitioner has committed rape upon her.

6. Considering the nature of allegation as alleged in the FIR supported by the statement of the victim recorded under Section 183 of the BNSS, 2023, I am not inclined to enlarge the petitioner on bail in connection with Kursela P.S. Case No. 96 of 2025 pending in the court of learned Chief Judicial Magistrate, Katihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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