

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3977 of 2026

Arising Out of PS. Case No.-70 Year-2025 Thana- BISHANPUR District- Darbhanga

Mantun Sharma S/o- Ram Daresh Sharma R/v- Rupauli Ps-Bishanpur Dist-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2026 Heard Mr. Kedar Jha, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
04.05.2025 in connection with Bishanpur P.S. Case No. 70 of
2025, F.I.R. dated 03.05.2025 for the offences punishable under
Section 70(1) of the BNS, 2023.

3. According to prosecution case, this petitioner along
with other accused person committed rape upon the informant.

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
F.I.R is false and fabricated and the petitioner has not committed
any offence as alleged in the F.I.R. Although the victim has



supported the incident in her statement recorded under Section 164 of the Cr.P.C/183 of the B.N.S.S but the medical report of the victim does not support the allegation as alleged in the F.I.R. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 04.05.2025.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the medical report does not supports the allegation as alleged in the F.I.R, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Darbhanga in connection with Bishanpur P.S. Case No. 70 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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