

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4380 of 2026

Arising Out of PS. Case No.-384 Year-2025 Thana- CHIRAIYA District- East Champaran

Avinash kumar Son of Late Dinesh Singh Resident of Village - Shitalpatti,
P.S. - Chiraiya, Dist. - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of Devendra Kumar Resident of Village - Shitalpatti, P.S. - Chiraiya, Dist. - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Manu Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2026 Heard learned counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant/Opposite Party No. 2.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 64(1) of the B.N.S..

3. As per prosecution case, informant, who is a married lady, alleged that her husband was living in Delhi for his livelihood and taking advantage of the situation, this petitioner committed rape upon her on several occasions on the point of pistol as a result of which, she became four months



pregnant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case with ulterior motive. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant/Opposite Party No. 2 have vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the point of pistol, he committed rape upon the victim on several occasions. The victim in her statement recorded under Section 180 of the B.N.S.S. has supported the prosecution case.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation, gravity of offence and statement of the victim, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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