

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4531 of 2026

Arising Out of PS. Case No.-23 Year-2024 Thana- MAHILA PS District- Khagaria

Rakesh Yadav S/o Rajendra Prasad Yadav@ Rajendra Yadav. Resident of
Village- Pirngara, Ward No. 6, P.S.- Beldaur, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Eashita Raj, Advocate Mr. Harsh Kumar, Advocate Mr. Salaj Kumar, Advocate
For the Opposite Party/s	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-01-2026 Heard Ms. Eashita Raj, learned counsel for the

petitioner and Mr. Dilip Kumar No. 1, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
25.07.2025 in connection with Khagaria Mahila P.S. Case No.
23 of 2024, F.I.R. dated 28.05.2024 for the offences punishable
under Sections 506 and 376 of the IPC.

3. According to prosecution case, this petitioner has
committed rape upon the victim who is his own daughter.

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. It is admitted position that the informant is daughter of the petitioner. Although the victim has supported the case in her statement recorded under Section 164 of the Cr.P.C./183 of the B.N.S.S but the date of occurrence is 27.05.2024 and the victim was medically examined on 28.05.2024 and there is no sign of rape found on the victim. She further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 25.07.2025.

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

6. Considering the aforesaid facts and circumstances, 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 CJM, Khagaria in connection with Khagaria Mahila P.S. Case No. 23 of 2024, 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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