

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5643 of 2026

Arising Out of PS. Case No.-177 Year-2025 Thana- JALE District- Darbhanga

Manish Khatwey @ Manish Kumar Chaupal Son of Late Ram Hriday
Khatwey R/o Village - Dhamad, Ward No. 9, P.S. - Jalley, Dist. - Darbhanga.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidyanath Prasad, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jale P.S. Case no. 177 of 2025 registered under sections 64 and 3(5) Bhartiya Nyay Sanhita, 2023.

3. As per the prosecution case, the informant states that taking the benefit of the absence of her husband, the petitioner committed rape on her.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is innocent and no such occurrence as alleged has taken place. The reason for false implication of the petitioner is that the husband of the informant had taken a loan of Rs.60,000/ and on the petitioner making a demand for repayment of the same, he was evading on one pretext or the other. Thereafter, as a result of



escalating differences, it has led to the informant lodging this false case against the petitioner. The informant is a mother of four children and refused to get herself medically examined. It is further submitted that there is allegation of child of the informant having been thrown to the ground, however, there is no injury report. The petitioner is in custody since 14.9.2025 and charge sheet has been submitted in the case. He has no criminal antecedent,

5. The application for bail is opposed by Learner APP for the State who submits that there is direct allegation by the informant against the petitioner of him having committed rape on her and the said allegation has been supported in her statement under section 183 Bharatiya Nagarik Suraksha Sanhita, 2023.

6. In the facts and circumstances of the case, there being direct allegation against the petitioner of having committed rape on the informant and the same having been supported by the informant in her statement under section 183 of the BNSS, 2023, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

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(Partha Sarthy, J)

