

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10036 of 2026

Arising Out of PS. Case No.-317 Year-2025 Thana- PARSABAZAR District- Patna

Raju Kumar @ Vijendra Kumar S/o- Vinod Kumar Prasad @ Vinod Kumar
singh Village- Kurthaul, Chanda Chak, Dariyapur, Police Station- Parsa
Bazar, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khooshbu Khatun D/o- Allaudin Ansari R/v- Bandarjbula Ps- Sonbarsa @
saribarsha Dist- Sitamarhi, A/P- Dariyapur Chanddachak Ps- Parsa Bazar
Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prem Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-04-2026 Heard Mr. Prem Kumar, learned counsel for the

petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
30.07.2025, in connection with Parsa Bazar P.S. Case No. 317
of 2025, F.I.R. dated 28.07.2025 registered for the offences
punishable under Section 64 of the B.N.S.

3. Allegation against the petitioner is of committing
rape upon the informant forcibly.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that 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 case of the prosecution in her statement recorded under Section 183 of the B.N.S.S., 2023 but the medical report of the victim which was conducted on 28.07.2025 i.e. next day of the occurrence which suggests that the medical report of the victim does not support the case of the prosecution. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 30.07.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the medical report of the victim does not support 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Rape and POCSO Act, Patna in connection with Parsa Bazar P.S. Case No. 317 of 2025, subject to the following conditions :-



(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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