

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7376 of 2026

Arising Out of PS. Case No.-51 Year-2024 Thana- AAJAM NAGAR District- Katihar

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Sapan Mandal Son of Bhusai Mandal Resident of Village - Kandaul, P.S.-
Azamnagar, Dist. - Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balkrishna Mishra, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 09-04-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with

Sessions Trial No. 274/2024, arising out of Azamnagar P.S.

Case No. 51 of 2024 registered for the offence under Sections

376/506 of the Indian Penal Code.

3. The petitioner is accused of committing rape with

the victim.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has not committed any offence.

Petitioner is in custody since 11.02.2024 and has clean

antecedent. He further submits that PW 1 has initially said that

attempt of rape was made with the victim and subsequently he

said that the victim was raped but PW 1 is hearsay witness.

5. Learned A.P.P. for the State has vehemently

opposed the prayer for bail.



6. Considering the nature of allegation as alleged against the petitioner, this application for regular bail is dismissed.

7. Learned counsel for the petitioner submits that the petitioner is in jail since for two years but the I.O. and the doctor has not been examined by the prosecution as yet.

8. The Superintendent of Police, Katihar is directed to ensure the appearance of the I.O. and the doctor within one month from the date of communication of this order.

9. Let a copy of this order be sent to the Superintendent of Police, Katihar through FAX for its forthwith compliance.

10. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

Ranjeet/-

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