

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8523 of 2026

Arising Out of PS. Case No.-321 Year-2025 Thana- AAJAM NAGAR District- Katihar

Rahul Kumar Mandal @ Rahul Kr. Mandal S/o- Hansa Mandal Resident of
Village- Hasopara, PS.- Azamnagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md. Musowir, Advocate Mr. Harsh Pathak, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the O.P. No.2	:	Mr. Suresh Prasad Sah @ Barnwal

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 18-04-2026 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No.2 and learned APP for the
State.

2. The petitioner has preferred this application for grant of regular bail in connection with Azamnagar P.S. Case No. 321 of 2025 dated 02.09.2025 registered for the offences punishable under Sections 64(1), 318(4), 351(2) and 3(5) of B.N.S.

3. As per allegation, the informant happens to be a married lady having children and her husband used to stay outside to make the ends meet. In the meantime, this petitioner started talking with her in a friendly manner and also assured that he would marry her. It is alleged that on 30.08.2025 in the



intervening night, this petitioner came to her house and took her to his own house on a motorcycle where this petitioner is alleged to have committed rape and after the commission of such rape she was ousted from there and threatened her with dire consequences and also threatened her not to disclose the fact to anyone. The parents of the informant were also threatened with dire consequences.

4. Learned counsel for the petitioner submits that the victim is a married lady and she herself has disclosed her age as 22 years. Moreover, the victim, who being already married from before is not expected to enter in such relationship. Moreover, in her statement recorded under Section 183 BNSS, she has categorically stated that she had entered into physical relationship with this petitioner on previous occasion also. It has also been submitted that physical relationship on false pretext of marriage is not made out since she was already married from before and she was entering into an illicit relationship. The petitioner happens to be in judicial custody since 16.09.2025 and although he was accused in one another case but not of similar nature and he is on bail in that case.

5. Learned A.P.P. for the State and learned counsel for Opposite Party No.2 have vehemently opposed the prayer for



bail of the petitioner.

6. Having considered the facts and circumstances of the case and perused the record, the petitioner above-named is directed to be enlarged 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 Court concerned, Katihar in connection with Azamnagar P.S. Case No. 321 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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