

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14281 of 2026

Arising Out of PS. Case No.-58 Year-2025 Thana- BATHWARIA District- West Champaran

Satyam Kumar Thakur @ Satyam Kumar S/O Raju Thakur Resident of
Village- Pipara Bhathahiya, P.S.- Bathawariya., District West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/O YYY Resident of Village- Pipara Bhathahiya Ward no.- 02, P.S.-
Bathawariya., District West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Milind Kumar Mishra, Advocate Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, APP
For the O.P. No.2	:	Mr. Sachida Nand Rai, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 20-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bathwariya P.S. Case No. 58 of 2025 dated 08.08.2025 registered for the offences punishable under Sections 126(2), 115(2), 61(2), 123, 64, 69, 352, 351(2), 303(2) and 3(5) of B.N.S.

3. As per the allegation, the informant claims to be married from before having two children. This petitioner along with co-accused persons who are neighbours with intention to grab her money and ornaments had enticed her, in course of which she was given an intoxicating substance in the cold



drinks, the informant believed that this petitioner had given her some intoxicating material and has contracted physical relationship with her, video to this effect was also perhaps made. The informant was being threatened and upon such threatening, she went with the petitioner on a bus to Gorakhpur, thereafter bought a drink to Ludhiana and they lived in a rented house, physical relationship was also there between the parties. This petitioner has also assaulted the victim in presence of her children, she anyhow escaped from the clutches of the petitioner and reached her house.

4. Learned counsel for the petitioner has submitted that petitioner from the bare reading of the FIR which is a typed version, the informant who was married from before entered into physical relationship with the petitioner, she went from places to places travelled on a bus and train but she did not raise any hue and cry when she has an opportunity to do so. The case has been lodged after five months and the conduct of the informant/victim does not come under the offence of rape. The petitioner is in custody since 09.08.2025 having no criminal antecedent.

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



petitioner. Learned counsel for the Opposite Party No.2 has further submitted that the life of this informant has been ruined at the hands of the petitioner and there is direct allegation of rape.

6. Perused the records and considered the submissions of the parties as well as considering the facts and circumstances of the case, 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, Bettiah, West Champaran in connection with Bathwariya P.S. Case No. 58 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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