

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18207 of 2026

Arising Out of PS. Case No.-70 Year-2025 Thana- MAHILA P.S. District- Bhagalpur

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Tarni Sah, aged about 45 years, Male, Son of Bablo Sah @ Balgu Sah,
Resident of Village- Birnoudh, P.S.- Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

5 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 64(1), 115(2), 351(2) and
(3) of the BNS.

3. As per allegation in the FIR, the informant alleged
that on 06.11.2025, her husband and mother-in-law had gone to
Goradih dealer, District-Bhagalpur for purchasing ration and
when she was alone in her house, breastfeeding her child and at
that time, his neighbour Tarni Sah (petitioner) caught her and
forcefully committed rape upon her and when her husband
returned to his house, he saw petitioner was lying on her and she
was resisting and suddenly her husband saw thereafter



petitioner pushed her husband and fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to dirty village politics. He next submits that there is no evidence of physical and clinical injury on her body including private parts. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 07.11.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner has forcefully sexual assault upon the informant.

6. On perusal of the first information report, case diary and impugned order dated 10.02.2026, it appears that in para-39 of the case diary, the statement of the victim recorded under Section 180 of the BNSS, wherein the victim has corroborated the version of the written application and also in paras-65 and 66 of the case diary, the medical examination report of the victim wherein it is stated that epiphysis of skull appears fused, epiphysis distal end of radius and ulna fused, epiphysis of B/L iliac crest fused and the doctor has opined that the victim is above 30 years of old and also the fact that from perusal of the case diary, several witnesses have supported the



case of the prosecution, so I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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