

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21399 of 2026

Arising Out of PS. Case No.-1 Year-2024 Thana- MAHILA PS District- East Champaran

Ravindra Kumar @ Ravindra Kumar Sahani Son of Bhuta Sahani @ Bhuto Sahani Resident of Village- Sapahi, P.S.- Turkauliya, District- East Champaran, at present R/o Village- Paithaniya, P.S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-05-2026 Heard Mr. Dhurendra Kumar, learned counsel for the petitioner and Mr. Kalyan Shankar, learned APP for the State.

2. The petitioner seeks bail, who is in custody since 04.01.2025 in connection with Mahila P.S. Case No. 01 of 2024, F.I.R. dated 25.01.2024 registered for the offence under Sections 376, 420, 120(B) of the IPC.

3. The prosecution story, in brief, is that as per the FIR, the informant was in relationship with the petitioner for about one year and they were in regular contact. It is alleged that on 21.12.2023, the petitioner came to the house of Jitan Sahani and asked the informant to establish a physical relationship, but she refused to do so before marriage.



Thereafter, the petitioner allegedly refused to marry her.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. As per allegation in the FIR, the petitioner has committed rape upon the victim on the false pretext of marriage and the victim has supported the case of the prosecution. It appears from the FIR that the date of occurrence as alleged in the FIR is 21.12.2023 but the present FIR has been instituted on 25.11.2024 after delay of 36 days without giving any explanation of delay. It is further submitted that petitioner has earlier moved before this Court in Cr. Misc. No. 39520 of 2025 and the same was rejected vide order dated 08.08.2025. Thereafter, the petitioner has again moved before this Hon'ble Court in Cr. Misc. No. 83180 of 2025 but the same was dismissed vide order dated 22.12.2025.

5. Vide order dated 10.04.2026, a report was called with regard to the stage of the trial. Report dated 20.04.2026 of learned trial court reveals that in the present case total eight witness is there and none of the witnesses have examined by the prosecution till date. Learned counsel for the petitioner submits that in view of the report of the Trial Court, there is no chance of early trial in near future. Petitioner has got clean antecedent and he is in judicial custody since 04.01.2025.



6. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner..

7. Considering the aforesaid facts, as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-cum-Exclusive Special Judge (Rape and POCSO), East Champaran, Motihari in connection with Mahila P.S. Case No. 01 of 2024, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 antecedent, 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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