

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30560 of 2026

Arising Out of PS. Case No.-43 Year-2025 Thana- MAHILA P.S. District- Banka

Banti Yadav @ Banti Kumar S/o- Chandra Kishore Yadav Res Of Village-
Hanumatta PS- Bandhua Kuraba District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/o- Late Himachal Kumar Yadav @ Himachak Kumar Yadav
Res Of Village- Hanumatta PS- Bandhua Kuraba District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bidhu Ranjan, Adv. Mr. Abhishek Bharti, Adv.
For the State	:	Mr. Mritunjay Kumar Gautam, APP
For the Informant	:	Mr. Rana Pratap Singh, Adv. Mr. Sanjay Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 15-07-2026 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 Mahila P.S. Case No. 43 of 2025 registered for the offences punishable under Sections 140(3), 303(2), 127(2), 64, 84, 115(2), 352, 351(1)(2) of B.N.S.

3. As per the allegations, the informant, a widow with an eight year old son, was searching for employment. In the course of her search, she came into contact with the petitioner, who is a co-villager. It is alleged that the petitioner



lured the informant on the pretext of providing job and took her to Ranchi, where she was subjected to sexual exploitation by the petitioner. It has further been alleged that he also snatched her belongings including clothes, gold & silver ornaments and Rs. 2000/- (cash). It has also been alleged that on 10.08.2025, the informant somehow managed to escape from the clutches of the petitioner.

4. Learned counsel for the petitioner has submitted that the informant is an adult. It has further been submitted while referring to statement of the victim/informant recorded under Section 183 of BNSS in which she has stated that she was taken to Ranchi on 24.07.2025, where the petitioner committed rape upon her after administering some intoxicant. It has further been submitted that the statement of the victim does not inspire confidence, as it contains material inconsistencies, as at one point, she stated that she somehow managed to escape from the clutches of the petitioner, whereas at another point she has stated that the petitioner left her in a forest (jungle) after taking her there by train. These contradictory versions, cast serious doubt on the veracity of the prosecution case. It has further been submitted that the medical report does not suggest any external or internal injuries so as to come to a finding that



rape was committed. It has further been submitted that the informant did not lodge any case at Ranchi, where she was allegedly subjected to rape. It has also been submitted that, while traveling by train, the informant had sufficient opportunity to raise an alarm or seek assistance at the railway station, but she did not make any such attempt. It has further been submitted that petitioner has got no criminal antecedent. Lastly, it has been submitted that petitioner is in judicial custody since 29.12.2025 and chargesheet has been filed in this case and there is no allegation of tampering against the petitioner.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant has further submitted that there is direct allegation of rape against the petitioner.

6. Heard learned counsel for the parties and perused the records.

7. Considering the facts and circumstances of the case as well as the period of custody, let the above named petitioner 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 Sub-Divisional Judicial
Magistrate, Sadar Banka in connection with Mahila P.S. Case
No. 43 of 2025.

8. The application stands allowed.

(Praveen Kumar, J)

Ankit Kumar/-

U		T	
---	--	---	--

