

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1816 of 2026

Arising Out of PS. Case No.-57 Year-2024 Thana- MAHILA P.S District- West Champaran

Baidul Khan @ Baidullah Khan S/O Faiyaz Khan @ Md. Faiyaj Khan
Resident of village- Chhavani @ Chhawani, ward no.- 05, P.S- Bettiah Kali
Bagh O.P., District- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. XXX D/O Lae Mohan @ Suresh Ram R/O Village- Chhavani @ Chhawani
Harijan Tola, Ward No. 03, P.S.- Manuwapul, Distt.- West Champaran.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sujeet Kumar
For the Respondent/s	:	Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-06-2026 Heard the parties.

2. This is the second attempt of the appellant for grant of regular bail in the appeal under Sections 14(A)(2) against refusal of the prayer for regular bail by order dated 30.03.2026 passed by the learned Exclusive Special Judge, Rape and POCSO Act, Bettiah, West Champaran in connection with Bettiah Mahila P.S. Case No. 57 of 2024 registered under Sections 70(1) and 3(5) of the BNS, 2023 and Sections 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

3. According to the prosecution case, this appellant along with other accused persons committed rape upon the



victim.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the appellant has not committed any offence as alleged in the FIR. He further submits that the trial has begun and the victim has been examined as P.W-1 and she has not supported the case of the prosecution and has stated that no such occurrence has taken place and she has become hostile. The appellant is in custody since 27.11.2024.

5. Learned Special Public Prosecutor for the State has vehemently opposed the prayer for bail of the appellant.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the victim has turned hostile, let the appellant, 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 concerned Court below in connection with Bettiah Mahila P.S. Case No. 57 of 2024, subject to the condition that the appellant 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



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

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Sandeep Kumar, J)

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