

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44100 of 2026**

Arising Out of PS. Case No.-171 Year-2025 Thana- TARAIIYA District- Saran

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Bunilal Kumar Ram @ Buni Lal Ram @ Chuni Lal Ram Son of Late Kodai Ram Resident of village - Murlipur, P.O.- Taraiya, P.S.- Taraiya, District - Saran at Chapra, Pin Code - 841424.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of Harendra Ram Resident of Taraiya, P.O.- Taraiyaa, P.S.- Taraiya, District - Saran at Chapra, Pin Code - 841424

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Jeetendra Narayan, Advocate  
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      08-07-2026                      Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Taraiya P.S. Case No.171 of 2025 registered for the alleged offences under Sections 115 and 65 of BNS.

03. As per prosecution case, the petitioner committed rape with the complainant-informant finding her alone.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The complaint has been lodged after delay of 7 months 4 days and thereafter, FIR was instituted on 07.06.2025, i.e., after about 8 months of the alleged occurrence. The prosecution



allegation is not believable. The true fact of the case is that the petitioner and the complainant-informant had a consensual sexual relationship and the complainant-informant is aged about 40 years and as the relationship soured, the present case has been lodged. The petitioner is a man of clean antecedent and he has surrendered on 14.05.2026 and since then he is in custody. The prayer for anticipatory bail of the petitioner was earlier rejected by a learned Co-ordinate Bench vide order dated 16.04.2026 passed in Cr. Misc. No. 21571 of 2026 and in the said order the learned Co-ordinate Bench observed that if the petitioner surrenders within four weeks before the concerned court, the concerned court shall take into account the delay in lodging of the complaint apart from other points for consideration of prayer for bail of the petitioner but the learned court below did not consider these aspects.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the specific allegation against the petitioner is that he entered into the house of the informant and sexually assaulted her and committed rape.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the delay in lodging the complaint and also delayed institution of



FIR and further considering the improbable nature of allegation and also considering the clean antecedent of the petitioner and period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-13th, Saran at Chapra/concerned Court in connection with Taraiya P.S. Case No. 171 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

DKS/-

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