

THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70284 of 2025

Arising Out of PS. Case No.-510 Year-2024 Thana- RAJGIR District- Nalanda

Mithu Chaudhary Son of Late Jaldhari Chadhary Resident of Village- Gora
Bigha Ps- Rajgir and Dist- Nalanda

... .. Petitioner/(),

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amitav Bachchan
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 126(2), 115(2), 117(2),
109(1), 329(4), 76, 303(2), 352, 351(2), 3(5) of the BNS.

3. Petitioner is said to have attempting to commit rape
along with other co-accused upon the victim.

4. Learned counsel for the petitioner submits that the
story stated in the First Information Report itself would show
that as such no offence of rape etc. was committed with the
victim and false story has been cooked up by the informant for
the purposes of extorting money and putting pressure. It is
further submitted that there is no medical report of the victim
which shows that she was never subjected to any medical
examination and so far as the assault upon the victim is



concerned, injury report only indicates some minor injuries on hand and shoulder which would be indicative of the fact that Section 109 (1) of the B.N.S. would not be attracted. Further, the petitioner has no criminal antecedent and is in custody since 11.03.2025 and the charges have already been framed but however, no witness has turned up for deposing and as such, there is no likelihood to conclude the trial in near future.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering that fact that the allegations made on the petitioner do not stand substantiated by supporting the evidence and also considering that the petitioner has been in custody since 11.03.2025 with clean antecedent and the charges have also been framed, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rajgir P.S. Case No. 510 of 2024, subject to the conditions that:

(I) The petitioner shall appear on each and every date till conclusion of trial and if the petitioner does not appear



on two consecutive dates without any substantial and satisfactory reason, the learned court below would be at liberty to cancel his bail bonds.

(Soni Shrivastava, J)

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