

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74503 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- BACHHWARA District- Begusarai

Shubham Kumar @ Shubham Kumar Ishwar @ Abhay Kumar Son of Vijay
Ishwar @ Vijay Kumar Ishwar R/o Village- Maranchi, PS- Bachwara,
District- Begusarai

... .. Petitioner/s

Versus

- 1. The State of Bihar Bihar
- 2. Geeta Devi W/o Budhan Paswan R/o vill and Post - Bachhwara, ward no. 07, P.s.- Bachhwara, Distt.- Begusarai

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 72119 of 2025

Arising Out of PS. Case No.-131 Year-2025 Thana- BACHHWARA District- Begusarai

Prakash Kumar Choudhary S/o Prem Choudhary R/o Village - Bachhwara,
Ward No. 8, P.S - Bachhwara, District - Begusarai

... .. Petitioner/s

Versus

- 1. The State of Bihar Bihar
- 2. XXXX W/o YYYY R/o Village - Bachhwara, Ward No. 7, P.S - Bachhwara, District - Begusarai

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 74503 of 2025)
For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Binay Krishna
(In CRIMINAL MISCELLANEOUS No. 72119 of 2025)
For the Petitioner/s : Mr.Rahul Singh
For the Opposite Party/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 14-05-2026 Re:-Criminal Miscellaneous No. 74503 of 2025

Heard learned counsel for the petitioner and
learned APP for the State.



2. The petitioner seeks bail in connection with Bachwara P.S. Case No. 131 of 2025 registered for the offence under Sections 64, 3(5) of the BNS, under Section 4 of the POCSO Act and under Section 3(i)(w), 3(2)(V) of the SC/ST Act

3. As per the prosecution case, the petitioner and other accused person is said to have committed rape with the victim.

4. The petitioner is in custody since 21.04.2025.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case and the specific allegation of committing rape is against the co-accused Prakash Kumar Choudhary and the only allegation levelled against the petitioner is that he was standing at the place of occurrence.

6. Considering the nature of allegation levelled against the petitioner and the period of custody of the petitioner, this application is allowed.

7. 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 the concerned Court below in connection with Bachwara P.S.



Case No. 131 of 2025.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

Re:-Criminal Miscellaneous No. 72119 of 2025

9. Heard learned counsel for the petitioner and learned APP for the State.

10. The petitioner seeks bail in connection with Bachwara P.S. Case No. 131 of 2025 registered for the offence under Sections 64, 3(5) of the BNS, under Section 4 of the POCSO Act and under Section 3(i)(w), 3(2)(V) of the SC/ST Act

11. As per the prosecution case, the petitioner and other accused person is said to have committed rape with the victim.

12. The petitioner is in custody since 21.04.2025 and the specific allegation of committing rape is against this petitioner.

13. Considering the direct allegation levelled against the petitioner, this Court is not inclined to grant bail to



the petitioner.

14. Accordingly, this application is dismissed.

15. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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