

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72798 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- DAGARUA District- Purnia

Md. Nasir @ Nashir S/o Late Falli R/o vill- Belgachchhi, P.s.- Dagarua,
Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Buneda Begam W/o Md. Shahid R/o vill - Belgachchhi, ward no. 6, P.S-
Dagarua, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mrs. Niharika Rani, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-01-2026 Heard Mr. Bipin Kumar, learned counsel for the

petitioner; Mrs. Niharika Rani, learned counsel for the

informant and Mr. Choubey Jawahar, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with

Dagarua P.S. Case No. 176 of 2025 instituted for the offences

under Sections 137(2), 96, 61(2), 3(5) of the Bharatiya Nyaya

Sanhita, 2023.

3. Allegation against the accused persons including the

petitioner is of enticing away the informant's daughter on the

pretext of marriage.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of four days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that from perusal of the statement of the victim recorded under Section 183 of the BNSS, it appears that the specific allegation of committing rape is upon co-accused person and so far as this petitioner is concerned, there is no allegation regarding the forceful establishment of physical relations and the petitioner is being dragged in this case merely due to previous dispute. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR and the same is further substantiated by the medical report of the victim, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case and Section 183 BNSS statement of the victim, this



Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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