

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 76918 of 2025

Arising Out of PS. Case No.-188 Year-2025 Thana- RAJEPUR District- East Champaran

Chitranjan Rai @ Chitranjan Kumar S/O Pramod Rai Resident of Village-
Hanuman Nagar, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Baitha S/O Late Samaj Baitha R/O Village- Hanuman Nagar, P.S-
Rajepur, Distt.- East Chamapran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, A.P.P.

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

ORAL ORDER

3 28-01-2026 Heard learned counsel for the petitioner and Mr.
Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Rajepur
P.S. Case No. 188 of 2025, instituted for the offences under
Sections 87, 64(1), 137(2) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that petitioner
committed rape upon the victim under the false promise of
marriage and when she became pregnant, petitioner left her and
solemnized marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Charge-sheet has been submitted in this case. On recovery, the statement of the victim has been recorded under Section 183 of BNSS in which she has not supported the allegation made in the F.I.R. The petitioner is alleged to have established physical relationship on the assurance of marriage. Subsequently, for one reason or the other, the marriage could not be solemnized and for the said reason, the present case has been instituted. Learned counsel for the petitioner has further placed reliance on cases of the Hon'ble Supreme Court since reported in ***2018 SCC OnLine SC-3100 (Dr. Dhruvaram Murlidhar Sonar Vs. The State of Maharastra & Ors)*** and ***(2019) 9 SCC 608 (Pramod Suryabhan Pawar Vs. The State of Maharashtra and Ors.)***. The F.I.R. has been lodged on 13.06.2025 after six months of the alleged occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the statement of victim recorded under Section 183 of BNSS, as also the period of custody undergone by the petitioner, this Court is inclined to



grant bail to the petitioner.

7. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajepur P.S. Case No. 188 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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