

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77919 of 2025

Arising Out of PS. Case No.-237 Year-2025 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Raju Tiwary S/O Pradip Tiwary @ Pravit Tiwari Resident of village-
Bharatpur Mathiya, P.S.- G.B. Nagar, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Anupam, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
G.B. Nagar P.S. Case No. 237 of 2025 for the offence
punishable under sections 64(1) of the BNS lodged on
03.06.2025 by the informant.

3. As per the prosecution case, the allegation against
the petitioner is that he is said to have raped the daughter of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner has not committed any offence as alleged in the FIR.
It has next been submitted that the victim is a major girl and for
totally improbable allegations, the petitioner has been
implicated in this case, while there is no evidence of any sexual



assault having been found on the person of the victim which would be evident from the medical report which was sought by this Court *vide* order dated 15.01.2026. As per the said report, the doctor has not found any recent evidence of sexual and physical activity and even on the physical examination conducted on this petitioner, nothing incriminating is said to have been found as is evident from the opinion recorded by the treating doctor wherein it is stated that no spermatozoa is seen either dead or alive. It has next been submitted that petitioner is in custody since 04.06.2025. Investigation is completed and charge-sheet has been filed.

5. Learned APP opposes the prayer for bail by submitting that the nature of allegation is grave.

6. Considering the medical report which does not corroborate the allegation of sexual assault as alleged, petitioner is in custody since 04.06.2025 and investigation is completed and charge-sheet has been filed, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ***Additional Chief Judicial Magistrate, 4th Siwan***, in connection



with aforesaid PS Case, subject to the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

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