

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78001 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- MINAPUR District- Muzaffarpur

Pankaj Kumar Son of Dhanraj Sahni Resident of Village- Panapur Chakki,
P.S.- Minapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-01-2026 Heard Mr. Alok Kumar Alok, learned counsel for
the petitioner and Mr. Bhanu Pratap Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
27.08.2025 in connection with Minapur P.S. Case No. 106 of
2024, F.I.R. dated 18.03.2024 for the offences punishable under
Sections 376, 323, 354, 354B and 384 of the IPC.

3. According to prosecution case, this petitioner
entered into the house of the informant who was sleeping with
her son and committed rape upon her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the
complaint petition/F.I.R is false and fabricated and the petitioner



has not committed any offence as alleged in the complaint petition/F.I.R. From perusal of the complaint petition/F.I.R it appears that the date of occurrence is 18.12.2023 but the present complaint petition/F.I.R has been instituted on 15.01.2024 i.e., after delay of about 27 days without giving any explanation of the said delay. Although the victim has supported the case of prosecution in her statement recorded under Section 164 of the Cr.P.C./183 of the B.N.S.S but she has refused for her medical examination. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 27.08.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, the complaint petition/F.I.R has been lodged after delay of 27 days and the victim has refused for her medical examination, 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 learned J.M. 1st Class (East), Muzaffarpur in connection with Minapur P.S. Case No. 106 of 2024, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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