

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81748 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- MAHILA P.S District- Supaul

Amarnath Kumar Sah S/O Late Bambholi Sah R/O Village - Sonapur, Ward No. -13, P.S -Nirmali (Dagmara O.P.), District - Supaul, State - Bihar -847451.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. XXX W/O Dinesh Kumar Kamat R/O Vill. and P.O.- Pauvahi (Mauvahi), ward no. 10 P.S.- Maraunna, Dist.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kuldeep Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 17-06-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Supaul Mahila P.S. Case No. 37 of 2024 registered for the alleged offences under Sections 323, 504, 420, 406, 409, 379 and 376 of the Indian Penal Code.

03. As per prosecution case, petitioner giving inducement of getting a job for complainant/informant, took Rs. 5 lakh from her and also committed rape with her.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The allegations are not believable. The informant is a 35 year old married women whereas the petitioner was only 18 years old boy



at the alleged time of occurrence. The petitioner being in urgent need of money, demanded a loan of Rs. 40,000/- from the husband of the informant and the informant transferred Rs. 36,600/- to the petitioner. As he could not return the money, the informant has lodged this false case in Supaul, the place where both the informant and the petitioner have their native places. But from the FIR, it is clear that the alleged occurrence took place in Delhi and Rajgir but the informant did not institute any case at these two places. Learned counsel further submits that the informant kept on changing her statement. In the FIR, she alleged that the petitioner repeatedly committed rape with her in Delhi and subsequently, also at Rajgir but in her statement given to the police and also in her statement under Section 183 of BNSS, she changed the statements. Learned counsel further submits that a *Panchayati* was held in the village of the informant and the petitioner returned Rs. 61,000/- to the informant which includes the interest on Rs. 36,600/- taken by the petitioner. Learned counsel further submits that, moreover, the allegations are completely vague and no specific details have been given in the FIR about the time and place of occurrence. The petitioner has got no criminal antecedent. The petitioner is in custody since 11.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State vehemently opposes the



submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Supaul/court concerned in connection with Supaul Mahila P.S. Case No. 37 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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