

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79230 of 2025

Arising Out of PS. Case No.-155 Year-2025 Thana- SRINAGAR District- West Champaran

Chhotu Miyan @ Sahil Khan @ Sahil Alam S/o- Rojid Miyan @ Rojid Ansari
R/v- Baijua W.No-12, Ps- Srinagar Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr. Sharad Kumar Verma, learned counsel

for the petitioner as well as Mr. Surendra Prasad Singh, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
05.07.2025 in connection with Srinagar P.S. Case No. 155 of
2025, F.I.R. dated 01.07.2025 for the offences punishable under
Sections 126(2), 115(2), 329(4), 64 of the Bharatiya Nyay
Sanhita, 2023.

3. According to prosecution case, the informant
alleged that the petitioner came to her house on pretext of
charging his mobile and gave money to her husband and sent
him to buy goods and when he found her alone in house, he
committed rape upon her and when informant shouted for help
and her family members came to save her, the petitioner fled



away.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Infact the informant and her husband had taken loan of Rs.30,000/- from the petitioner and when the petitioner demanded the same, the present false case has been instituted against him and the medical evidence also does not support the allegation as alleged in the FIR. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 05.07.2025.

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

6. Considering the aforesaid facts and circumstances, 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 Judicial Magistrate-1st Class, Bettiah, West Champaran in connection with Srinagar P.S. Case No. 155 of 2025, 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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