

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87884 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- SARSI District- Purnia

Rohit Kumar S/o Sakkal Yadav @ Sakal Yadav Resident of - Balutola, Ward
no. 8, P.S - Sarsi, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
 2. X w/o Mithun Yadav village- Balutol, Ward No. 8, P.S.- Sarsi, Distt.- Purnea
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 14-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sarsi P.S. Case no. 176 of 2025 registered under section 64(1) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that while she was alone at home, the petitioner entered the house, covered her face with a towel and thereafter started to make physical relations with her. On her resisting, she was assaulted and threatened with a knife. Thereafter, it is stated that he escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case because both the parties are neighbours and there are pending land dispute between



them. While the occurrence is alleged to have taken place on 31.8.2025, there is an unexplained delay of five days in lodging of the FIR which was done on 5.9.2025. No external or internal injury has been found on the informant in the medical examination. There are contradictions in the statement of the informant recorded under section 180 and 183 of the B.N.S.S. The petitioner is in custody since 6.9.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that there is direct allegation of assault against the petitioner in the FIR which is supported by the victim in her statement recorded under section 183 of the B.N.S.S.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR of forcibly committing rape on the informant together with the victim having supported the allegations in her statement recorded under section 183 of the B.N.S.S., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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