

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89827 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- KASMA District- Aurangabad

Om Chaudhary Son of Saryu Chaudhary Resident of Village- Dugul, P.S.-
Kasma, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY R/O Vill.- Jagroop Bigha, P.S.- Kasma, Dist.- Aurangabad.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 13-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 70(2) of the BNS.

3. The case of the prosecution, in short, is that sister of the informant has gone to ease her. It is further alleged one Jitendra and this petitioner took her to Nauwa Aahar and there Jitendra has committed rape with her, whereas, this petitioner was standing there.

4. Learned counsel for the petitioner submits that during course of investigation victim has given her statement under Section 183 of the BNSS wherein she has stated that this petitioner and Jitendra took her forcefully to a field near canal



and Jitendra has committed rape with her. Learned counsel for the petitioner has submitted that victim herself has not alleged that the petitioner has committed rape with her. Only role attributed to this petitioner is that he was also standing there. Learned counsel for the petitioner has submitted that the main thrust of allegation is against Jitendra. Learned counsel for the petitioner has further submitted that the petitioner is languishing in judicial custody since 18.09.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kasma P.S. Case No. 119 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Aurangabad.

(Ashok Kumar Pandey, J)

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