

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89325 of 2025**

Arising Out of PS. Case No.-370 Year-2025 Thana- LALGANJ District- Vaishali

Niraj Kumar S/o Pannalal Sah Resident of Village - Khajauli, P.S - Lalganj,  
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                       |
|----------------------|---|---------------------------------------|
| For the Petitioner/s | : | Mr. Shyameshwar Kumar Singh, Advocate |
| For the State        | : | Mrs. Anita Kumari, APP                |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-01-2026                      Heard Mr. Shyameshwar Kumar Singh, learned  
counsel for the petitioner and Mrs. Anita Kumari, learned APP  
for the State.

2. Petitioner seeks bail, who is in custody since  
29.08.2025, in connection with Lalganj P.S. Case No. 370 of  
2025, F.I.R. dated 29.07.2025 registered for the offences  
punishable under Sections 329(4), 64, 308(3) and 3(5) of the  
B.N.S.

3. Allegation against the petitioner is that he along  
with other co-accused persons arrived at the informant's house  
and when co-accused Vicky established physical relationship  
where his other associates made video of the act and later on co-  
accused Vicky refused the proposal of marriage of the  
informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It appears from the F.I.R. that there is specific allegation of sexual assault attributed against co-accused person, namely, Vicky Kumar and petitioner is friend of Vicky so he has been made accused in the present case and the statement of victim was recorded under Section 183 of the B.N.S. in which she has not stated anything about the petitioner. He further submits that similarly situated co-accused person, namely, Rahul Kumar against whom the similar allegation has been granted bail vide order dated 12.01.2026 passed in Cr. Misc. No. 88963 of 2025 by a Coordinate Bench of this Court and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 29.08.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case



and the fact that the victim has not stated anything in her statement recorded under Section 183 of the B.N.S. and similarly situated co-accused person has been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 370 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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