

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88000 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- BARARI District- Katihar

Govind Kumar Das @ Govind Kumar S/o- Late Sharvan Das @ Sharvan
Tatma Resident of village-Raunia, Ward no 06 PS-Barari, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
	:	Mr. Vivekanand Jha, Advocate
	:	Ms. Isha Mishra, Advocate
For the Opposite Party/s :	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-04-2026 Heard Mr. Sharda Nand Mishra, learned counsel
for the petitioner as well as Mr. Anil Kumar, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.04.2025 in connection with Barari P.S. Case No. 97 of 2025,
F.I.R. dated 09.04.2025 for the offences punishable under
Sections 64(1) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, the informant
alleged that on 08.04.2025 at 10.30 P.M when she was alone in
her house, then petitioner came and raped her. Upon protest, her
father-in-law and other villages came and rescued her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation levelled against the petitioner is false and fabricated. He next submits that the victim, in her statement recorded under Section 183 of BNSS did not support the case of the prosecution and she has stated that petitioner only removed her saree but he did not committed any wrong with her and apart from that she has refused for her medical examination and the petitioner is in custody since 09.04.2025.

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 A.C.J.M, Katihar in connection with Barari P.S. Case No. 97 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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