

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91774 of 2025

Arising Out of PS. Case No.-230 Year-2025 Thana- DAWATH District- Rohtas

Deepak Kumar @ Golu Chaudhary Son of Sri Sunil Kumar chaudhary
Resident of village- Babhani, P.S.- Dawath, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Alexander Ashok, Adv
	:	Mr.D.K.Sinha, Sr. Adv
	:	Mr.Jawed Akhtar, Adv
For the Opposite Party/s :		Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 05-05-2026 Heard learned Senior Counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dawath P.S. Case No. 230 of 2025 registered for the offences punishable under Sections 126(2), 127(2), 140(3), 64, 77, 78, 351(2), 3(5) of the B.N.S.

3. As per the prosecution case, this petitioner on 21.03.2025 at 07:00 P.M., kidnapped the informant victim aged about 22 years, when she had gone to attend the call of nature. It is further alleged that for three days this petitioner raped her at his terrace and made video of the said occurrence. It has been further alleged that the informant was threatened that if this act



was disclosed to anybody else, she and her family would be killed. It is further alleged that on the pretext of making the video viral, the victim was sexually exploited. It has further been alleged that on 16.07.2025 at 11:00 P.M., this petitioner entered into the house of the informant/victim and on threat with the dire consequences, this petitioner sexually exploited her and in the midst thereof the parents of the informant/victim got awake and saw the petitioner committing the said occurrence. It has further been alleged that steps for apprehending the petitioner was a futile exercise. It has further been alleged that the parents of the informant was informed by the informant that the petitioner used to sexually exploit her upon threatening of earlier video to be made viral.

4. Learned Senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that there is a delay of four months in lodging the FIR, when the initial occurrence of rape took place four months ago. It has been further submitted that no hue and cry was raised when initially she was kidnapped, forced to stay at the terrace of the petitioner, raped several time for three days. It has further submitted that no protest was made and as per the allegation although she was



sexually assaulted on several occasions. It has further been submitted that no protest, hue and cry was raised when the petitioner entered the house of the informant and allegedly committed rape upon her, even admittedly the parents of the informant was present at the house, who saw the commission of alleged sexual assault by the petitioner. Learned Senior counsel for the petitioner has further submitted that parties were majors and the present case has been lodged only when the petitioner and the victim were found in compromising position and was seen by the parents. It has further been submitted that no ingredients of Section 64 BNS is made out. It has further been submitted that there is no video on record so as to suggest that any video was made least. It has further been submitted that petitioner is in custody since 18.07.2025 and has got no criminal antecedent, chargesheet has been filed and there is no allegation of tampering against the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Court concerned, Dawath P.S. Case No. 230 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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