IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33732 of 2026

Arising Out of PS. Case No.-145 Year-2025 Thana- KUSHESHWARASTHAN District-Darbhanga

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Chiku Chaudhary @ Chiku Kumar @ Chiku Kumar Chaudhary son of Sri Bana Chaudhary @ Gajendra Narayan Chaudhary Resident of village -Kusgeshwar Asthan PS -Kusheshwar Asthan Distrcit -Darbhanga

... ... Petitioner/s

Versus

1. The State of Bihar
2. X Son of Bhola Sah Resident of village -Kusgeshwar Asthan PS -Kusheshwar Asthan Distrcit -Darbhanga

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate with Mr. Shivans, Mrs. Sushmita Mishra and Mr. Purushottam Kumar
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

3 19-08-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for offence under Sections 126(2), 64, 65(1), 62, 352, 351(2) and 3(5) of the B.N.S., 2023 and Sections 4, 8 of the POCSO Act.

3. As per F.I.R., on 31.05.2025 at about 4 AM, this petitioner entered the house of informant and committed rape upon her.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. The victim, in her statement recorded under Section 183 B.N.S.S., has stated that she has acquaintance with this petitioner for the last 3-4

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years and she was talking with him for the last 3 years, but when her parents knew this, they opposed her. She further alleged that on 31.05.2025, she called petitioner at home whereupon, petitioner came and established physical relation with her. Learned counsel for the petitioner next submits that during trial, the victim was declared hostile by the prosecution. Petitioner is in custody since 20.11.2025.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the deposition of the victim and period of custody, let the above named petitioner 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 learned Special Judge (POCSO Act), Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 145 of 2025.

(Prabhat Kumar Singh, J)

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