

IN THE COURT OF ADDITIONAL SESSIONS JUDGE- I-CUM- Spl. Judge
S.C/S.T Act, BANKA
Bail Petition No.- 229 of 2026
CIS Reg. No.- 229/2026

In the matter of

Hemant Kumar @ Munna Mandal.....Accused/Petitioner,
versus

State of Bihar.....Opposite Party

F.I.R- Rajoun P.S. case no.-435/2024

Offence u/s- 126(2), 115(2), 352, 351(2), 64, 3(5) of B.N.S.

For Petitioners- Sri Anand Deo Choudhary, Learned Advocate, Civil Court, Banka

For the state- Sri Rajkishore Singh, Learned A.P.P., Banka

Present- Kumar Amit Manu

A.S.J-I-cum-Spl. Judge

S.C/S.T. Act Banka

15.04.2026

This bail petition has been filed on behalf of the petitioner **Hemant Kumar @ Munna Mandal @ Munna Kumar**, who is in custody since 23.03.2026, in connection with Rajoun P.S. case no.- 435/24, under section – 126(2), 115(2), 352, 351(2), 64, 3(5) of B.N.S.

According to FIR, the prosecution case, in short is that on 19.08.2024 the informant was coming from Bhagalpur after filing water and in the same sequence at about 03:00 O'clock when she reached between Amdha Rampur, then Munna Mandal said that if you are having difficulty in going then I will take you on bike and make her sit on the bike and as soon as they reached Bhagwanpur Amdha then he stopped his bike in deserted place and started molesting her with wrong intention, when she protested then he forcibly make physical relation with her and fled away. Thereafter the informant went to her house and narrated the story to her family, then the family of the informant went to the house of Munna Mandal to tell him about the incident, then Digamber Mandal and Mritunjay Kumar abused and assault them and drove them away saying that you are trapping my son and threatened that if you complain to police then your entire family will be killed.

Heard learned counsel Sri Anand Deo Choudhary appearing on behalf of the petitioners and learned A.P.P. Sri Raj Kishore Singh appearing on behalf of the state.

Learned counsel for petitioner has submitted that petitioner is innocent and has committed no offence. He further submits that the allegations are false and concocted one and the petitioner is falsely implicated in this case on the basis of

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continue..

16.04.2026 conspiracy. It is further stated that under the direction of Hon'ble High Court, the petitioner has surrendered voluntarily within the time. It is further stated that the date of alleged occurrence is 19.08.2024 and FIR is lodged on 09.09.2024, this abnormal delay is not explained by the informant. It is further stated that so-called victim is examined u/s 183 B.N.S.S. and there is contradictory statement of her statement as stated in fardbeyan. The petitioner is in custody since 23.03.2026, hence lenient view may be taken and bail may be granted to him.

The learned A.P.P. for the state has vehemently opposes the prayer for bail.

Heard both the parties and perused the case record. As per the fardbeyan and statement of the victim recorded u/s 183 B.N.S.S., the victim has specifically stated that she has been raped, where it has been stated that seeing the opportunity that she is alone, the accused has committed such act. Though, there is delay in lodging of F.I.R, but the name has been explained in F.I.R. Considering the seriousness of offence, material collected during investigation, the bail of the petitioner namely Hemant Kumar @ Munna Mandal @ Munna Kumar stands rejected.

Sd/-

(Kumar Amit Manu)

A.S.J.-I-cum-Spl.

Judge S.C./ S.T. (P.O.A) Act

Banka

Date of order	16.04.2026
Date of Reserving order	16.04.2026
Uploading Date	16.04.2026
Uploaded by	Shashi Shekhar

Memo No..... Dated.....

Office of .A.S.J-I, Banka

Copy Forwarded to the Ld. Court of C.J.M, Banka, for kind information and needful.

A.S.J.-I
Banka