

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-I, GAYA
ANTICIPATORY BAIL PETITION No. 1365/2026

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Suresh Chauhan S/o Late Babulal Chauhan
R/o Village- Purni Raksi, PS.- Fatehpur,
District- Gaya

----- Petitioner

VERSUS

The State of Bihar

----- Opposite Party

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11.06.2026

An anticipatory bail application has been filed on behalf of the above named accused/petitioner, who is apprehending his arrest, in connection with **Fatehpur P.S. Case No. 74/2026**, for the offences registered **U/s. 70(1), 351(1), 351(2) of the BNS**, **pending in the Court of Ld. CJM, Gaya Ji.**

2. Heard both the sides on the bail application.

3. Learned defence counsel, submitted that prior to this, the petitioner has not filed any anticipatory bail either before this Court or the Hon'ble Patna High Court. It is further submitted that petitioner is innocent, committed no offence and has falsely been implicated in this case. It is further submitted that this case has been lodged by the informant against the petitioner, his brother and his mother as they have not agreed to compromise the earlier case bearing Fatehpur P.S. Case No. 613/2024 which was lodged by the accused petitioner against the informant parties for the offence of murder of his father namely Babu Lal Chauhan. It is further submitted that this petitioner was not present on the alleged date of occurrence as he was working as bricks labour in Assam State from the period of dated 29.11.2025 to 09.03.2026. Lastly he submitted petitioner having no criminal antecedent. Hence, it is prayed for grant the privilege of anticipatory bail to the accused petitioner.

4. Per contra the Ld. A.P.P. appeared on behalf of State vehemently opposed the prayer for anticipatory bail.

5. Prosecution case, in brief, as per informant is that on 09.02.2026 at about 5.00 A.M. she had gone to attend the call of nature, in the meantime accused petitioner Madan Chauhan and his brother Suresh Chauhan (petitioner), who were already waiting in

ambush, forcibly caught hold of her and Madan Chauhan tied her mouth with Gamchha and dragged her towards the field of wheat and forcibly removed her cloths and raped her one by one. They also threatened her by pointing gun on her temple not to disclose to anyone about this incident, otherwise she would face the dire consequences.

6. Heard both the parties and perused the case record. From perusal, it appears that petitioner is named in the F.I.R. There is direct allegation against the petitioner of committing rape with informant. Vide para 27 of the case diary, Sub-Divisional Police Officer has found case true against the accused petitioner. Statement of victim recorded U/S 180(3) of BNSS by the police in which he alleged the same as alleged in the F.I.R. Allegation against the accused petitioner is serious and grave in nature. Investigation against this petitioner is still going on. Moreover regular bail of other co-accused has already been rejected by this Court vide order dated 01.04.2026

7. Considering the aforesaid facts and circumstances of the case, gravity of offence, the effect of the offence on society and with regard to pending stage of the investigation, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer of anticipatory bail filed and moved on behalf of the petitioner, above named, is hereby **rejected.**

(Dictated)

Sd/-

(Shashi Kant Ojha)
Addl. Sessions Judge-1, Gaya
11.06.2026