

Ms. Namita Singh, Add. Sess. Judge-I, Biharsharif, Nalanda.
BP no. 649 of 2026
[arising from Noorsarai P.S. Case No. 194/26
Bipin Kumar vs State of Bihar

<i>Date of order of proceeding</i>	<i>Order with the signature of the court</i>	<i>Office action taken with date</i>
01.06.2026	This is a regular bail application filed on behalf of the petitioner, Bipin Kumar, who is currently in judicial custody since 10.04.2026 in connection with Noorsarai P.S. Case No. 194/26, registered u/s 74, 75, 76, 115(2), 126(2), 70(1), 62, 3(5) of the BNS and u/s 67 and 67(A) of IT Act. Shri Dilip Kumar, the learned counsel for the petitioner submitted that no other bail application, either regular or anticipatory, has been filed by this petitioner either before this court or before Hon'ble High Court. It was stated that the petitioner has a clean antecedent. He is in judicial custody since 10.04.2026. The petitioner has not committed any offence and has been falsely implicated in this case. He is not named in FIR and his name has been added later under a conspiracy. On the date of the alleged occurrence, the petitioner had gone out of State to earn his livelihood. It is further argued that other co-accused individuals, namely Doman Paswan, Dashrath Chowdhary, Anita Devi and Sachin Kumar who similarly did not face specific allegations in the FIR and were stated to be part of the chaotic crowd that engaged in shouting,	

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conti. 01.06.2026	abusing, and heckling, have already been extended the privilege of regular bail by this Court. The learned counsel contends that since the investigation has already concluded with the submission of Charge Sheet No. 17/26 on 11.05.2026, the petitioner, who has been in custody since 10th April 2026, is entitled to identical relief. The learned Public Prosecutor (PP) vehemently opposes the bail application, arguing that the role of petitioner Bipin Kumar cannot be equated with that of passive onlookers or individuals who merely shouted and heckled from the crowd. The prosecution highlights that the non-inclusion of Bipin Kumar's name in the FIR is entirely natural and understandable given the large, chaotic crowd present at the scene, which made it virtually impossible for the severely traumatized victim to identify every single perpetrator at that exact moment. However, subsequent technical investigation and a perusal of the definitive video/CCTV footage retrieved from the scene completely shatters any claim of parity. The footage clearly captures petitioner Bipin Kumar actively using his mobile phone to record the entire harrowing occurrence of the attempted sexual assault and disrobing. Furthermore, the investigation reveals that video footage of this sensitive and humiliating incident was subsequently	
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conti. 01.06.2026	circulated on electronic platforms. The learned APP contends that while it remains a matter of trial to establish whether the specific video file that went viral originated directly from Bipin Kumar's device or from someone else's phone, his overt act of digitally documenting a woman's public degradation establishes a distinct, active participation that directly engages the cyber-crime provisions of the IT Act and the BNS. Heard both sides and perused the record. The prosecution case is based on a written report filed by Priyanka Kumari, alleging therein that on 26.03.2026 between 6 to 7pm, she had gone to get somethings from the shop of co-villager Ghanshyam Kumar where some other co-villagers – Ashok Yadav, Matalu Mahato, Ravikant Kumar caught hold of her. They threw her on the ground in order to commit rape upon her. Matalu Mahto grabbed her chest and started forcing himself upon her causing injury to her and partially disrobing her. Ravikant Kumar unfastened her petticoat and tried to rape her. Ashok Yadav was with him. A large number of villagers gathered on hearing the shouts and she was saved. A perusal of the Case Diary discloses a deeply disturbing incident wherein a young woman was cornered in full public view, subjected to horrific molestation, groping, and an active	
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conti. 01.06.2026	attempt was made by specific principal accused individuals to forcefully disrobe and rape her. It is true that the petitioner Bipin Kumar is not named in the F.I.R. and his involvement only came to light during the investigation. However, the details uncovered during the investigation separate his actions from the other co-accused who have been enlarged on bail. Perusal of the Case Diary reveals that the victim woman stated before the police in her follow-up statement that while the main attackers were grabbing, groping, and humiliating her publicly, they were actively shouting for someone to video record the entire incident. Witnesses in paragraphs 42, 43, and 44 of the Case Diary have confirmed that this video was later widely shared and circulated, causing extreme humiliation and severe mental trauma to the victim and her family. Further investigation, as detailed in paragraph 53 of the Case Diary, shows that the police recovered one viral video wherein this petitioner, along with one Mohit Kumar @ Bodha, was clearly identified as the person making a video of the occurrence. Furthermore, the victim herself produced a video, detailed in paragraph 124 of the Case Diary along with screenshots, which shows this petitioner capturing the horrific occurrence on his mobile phone while laughing. Considering the gravity and seriousness of the	
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allegations levelled against the petitioner and the nature of the offences alleged, I am not inclined to enlarge the petitioner on bail.

Accordingly, the prayer for regular bail on behalf of the petitioner is hereby **rejected**.

Let a copy of this order be transmitted to the learned court concerned forthwith.

Sd/-
(Namita Singh)
Add. Sess. Judge -I
Biharsharif, Nalanda

Memo No.____, Dated:-_____.

Copy of order forwarded to the Court of Ld.C.J.M. Nalanda at Biharsharif for information and needful.

Addl. Sessions Judge-I
Nalanda at Biharsharif

Date of Judgment/Order	01.06.2026
Date of Reserving Judgment/Order	-
Date of Uploading	03.06.2026
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