

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5810 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- TILAUTHU District- Rohtas

Sonu Kumar S/O Rajendra Yadav R/O Village- Baradih, P.S- Tilauthu, Distt.-
Rohtas (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Tilauthu P.S. Case No.109 of 2023, lodged on 24.05.2023, under
Sections 363/366A of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
three named accused persons including the present petitioner
alleging that they have kidnapped the informant's daughter with
a view to kill her.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Counsel
submits that the case is absolutely false due to the reason that
after recovery the doctor has ascertained her age as 19 to 20
years and she is not minor. Counsel submits that as per his



opinion the alleged victim went with the petitioner with her consent and it is not a case of kidnapping. Counsel submits that the antecedent of the petitioner is clean. He is in custody since 29.05.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that vide order dated 17.02.2024 case-diary as well as statement of the victim girl recorded under Section 164 Cr.P.C. was called for. Upon perusal of the statement recorded under Section 164 Cr.P.C., it transpires that with due consent of the petitioner his friend has forcibly raped the victim and the petitioner has not opposed the incident.

6. In this view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of the petitioner is hereby rejected. The trial Court is directed to expedite the trial and conclude the same as early as possible.

(Dr. Anshuman, J)

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