

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43847 of 2024

Arising Out of PS. Case No.-201 Year-2024 Thana- MAHUA District- Vaishali

RAKESH RAUSHAN @ RAKESH SINGH SON OF HARDEO SINGH
VILLAGE- KUSHAHAR KHAS, P.O.- SHERPUR, P.S.- MAHUA, DISTT.-
VAISHALI

... .. Petitioner/s

Versus

The State of Bihar, BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brahmaputra Singh Ishu, Adv.
Mrs. Poonam Kumari, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahua P.S. Case No. 201 of 2024 dated 11.04.2024 registered for the offences punishable u/s 363, 366 and 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The victim in her statement recorded under section 164 and 161 of the Cr.P.C. has not mentioned the name of the petitioner in the crime alleged. The petitioner is not named in the F.I.R. The name of the petitioner has transpired during the course of the investigation. As per statement, there was love affair between the victim and the co-accused *Nitin Kumar* and she went to *Tamil Nadu* with her own will. It is further submitted that no alarm has been raised by the victim girl while she was being taken to *Tamil Nadu*. It is further submitted that there is nothing on record showing that the victim was forced to have illicit intercourse with another person. The petitioner is made accused in this only because he is the father of the co-accused Nitish Kumar. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the



like amount each to the satisfaction of learned Court concerned,
Hajipur at Vaishali, in connection with Mahua P.S. Case No. 201
of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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