

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61655 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- BANKA District- Banka

Rahul Kumar Son of Bilash Mandal Resident of Village- Nonihari, Police
Station- Banka, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sevi Devi Wife of Nand Kishor Mandal Resident of Village-Nonihari,P.S.-
Banka,Distt.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 14-11-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Banka P.S. Case No.
184 of 2024, instituted for the offences punishable under
Section 366(A) of the Indian Penal Code and Section 8 of the
POCSO Act.

3. The prosecution case, in short, is that, the petitioner
lured the minor daughter of the informant and kidnapped her
with an intention to marry her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that



the petitioner and victim were in love and out of love they fled away on their own will for the purpose of marriage, but due to under age their marriage could not be solemnized. There is a inordinate delay of thirteen days in lodging the FIR. It is further submitted that after getting knowledge of the case, the petitioner and victim suo-motu returned back and statement of the victim has been recorded under Section 164 Cr.P.C. in which she admitted the fact that there was love affair between them and there is no allegation of sexual assault alleged against the petitioner. As per medical examination report, there is no any sign of sexual violence has been found in the body of the victim. The petitioner is in custody since 03.05.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Banka P.S. Case No.
184 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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