

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2819 of 2025

Arising Out of PS. Case No.-258 Year-2024 Thana- BUXAR MUFFSIL District- Buxar

Dharmendra Kumar S/O Vijay Kamkar R/O Village- Pawani, P.S- Buxar (M),
Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajaram Ram S/O Jagarnath Ram R/O Village in Pawani, P.S- Buxar (M),
Distt.- Buxar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Digvijay Kumar Ojha, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Buxar Muffasil P.S. Case no.258 of 2024 registered under sections 137(2) and 140(3) of the Bharatiya Nyaya Sanhita.

3. As per the prosecution case, the informant states that his 16 year old elder daughter who had gone out did not return and was not to be found inspite of search. The informant further states that he apprehends that some unknown accused persons had kidnapped her daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case in course of



investigation. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she has categorically stated that she went out of her house out of her own volition. In the subsequent part of the statement, she states that the petitioner committed rape on her on 29th and 30th March, 2024. It is submitted that this part of the statement is absolutely false, concocted and unsupported by the material that has transpired in course of investigation. The matter has been settled between the parties. The petitioner is in custody since 29.11.204 and undertakes to cooperate in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Learned counsel for the informant submits that the matter has been compromised between the parties.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR together with the statement of the victim recorded under section 164 Cr.P.C. wherein she makes categorical statement of the petitioner having committed rape on her, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Saurabh/-

U		T	
---	--	---	--

