

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9995 of 2025

Arising Out of PS. Case No.-67 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

1. Rakesh Bind S/O Chandeo Bind @ Chandradeo Bind @ Chandradeo Vind
 2. Upendra Kumar S/O Nandlal Bind
- Both R/O Village -Upharauli, P.S.- Ramgarh, District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bibhakar Tiwary, Advocate
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-06-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Ramgarh P.S. Case no.67 of 2024 registered under sections 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that her daughter who had gone out did not return. On enquiry, it transpired that she had been taken away by one Krishna Kumar. The informant further states that the two petitioners herein are involved in the occurrence. As such, the FIR.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The daughter of the informant is major and had gone out with



Krishna Kumar out of her own volition. Referring to various paragraphs of the case diary, it is submitted that both of them appeared along with their parents in the police station and Krishna Kumar was taken into custody. The petitioners are in custody since 7.8.2024 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she has described her age to be 17 years. Referring to her statement recorded under section 164 Cr.P.C., it is submitted that she has categorically stated therein that she was intoxicated by mixing some substance in the water. On loosing consciousness she was kidnapped by the accused persons including the two petitioners herein. She was taken to Rajkot where the accused committed rape on her.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the material that has transpired in course of investigation and the statement of the victim under section 164 Cr.P.C. wherein she has made allegation against the accused persons including the two petitioners herein of having committed rape on her, the



Court is not inclined to enlarge the petitioners on bail and the application is rejected.

(Partha Sarthy, J)

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