

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11325 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- RAJAPAKAR District- Vaishali

Rahul Kumar Son of Jay Mangal Ray Resident of Village - Bhalui, P.S. -
Rajapakar, District - Vaishali, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi Wife of Ganga Rai Resident of Village - Pachai Mahesh, P.S. -
Rajapakar, District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

Mrs. Rupa Kumari

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajapakar P.S. Case No. 446 of 2024 registered for the offences punishable under Section 137, 96, 3(5) of the B.N.S. and Section 8/12 of the POCSO Act.

3. As per the prosecution story, on the alleged date of occurrence, the petitioner and other co-accused person are alleged to have kidnapped the daughter of the informant for the purpose of getting some immoral work done.

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



case. The allegation against this petitioner is that he has helped the co-accused Devnath Kumar in kidnapping. From perusal of the F.I.R., it is clear that the daughter of the informant has been recovered. There is land dispute between both the parties.

5. During course of argument, learned counsel for the petitioner has produced the paper regarding land dispute as has argued by him. Further, in the case diary, paragraphs 4, 5, 6 and 7, witnesses have supported the allegation levelled against the petitioner. Statement of the victim recorded u/s 183 BNS in which she has also supported the allegation of kidnapping by two accused persons in which one person was arrested and one managed to flee away. Subsequently, this petitioner was apprehended by the Police. During investigation, the age of victim girl has been found below the 18 years. After investigation, charge-sheet has been submitted against the petitioner and other accused person under section 137, 96, 3(5) of the BNS & Section 8/12 of of the POCSO Act.

6. Learned A.P.P. appearing on behalf of the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

7. Keeping in view the aforesaid facts and considering the allegation levelled against the petitioner, his prayer for



regular bail stands rejected.

8. The petitioner may renew his prayer for regular bail after framing of charge, after evidence of victim before the court below.

(S. B. Pd. Singh, J)

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