

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13587 of 2025

Arising Out of PS. Case No.-338 Year-2024 Thana- BARUN District- Aurangabad

Rajesh Kumar @ Rajesh Chandrawanshi S/o Ramesh Chandrawanshi R/o
Village- Berkap, PS- Darihat, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-04-2025 Heard Mr. Birendra Kumar Singh, learned counsel for
the petitioner and Mr. Rajesh Kumar, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Barun P.S. Case No. 338/ 2024 dated 27.07.2024 registered for the offence(s) punishable under Section(s) 137 and 140(3) of the BNS.

3. The main submissions advanced by learned counsel for the petitioner are that the petitioner has fair and clean antecedent and he works as a mason, the so-called victim has been recovered and in her statement made under section 183 of the BNSS she did not level any allegation against the petitioner and accepted her love affair with the petitioner, though, as per the FIR, the victim is said to be 13 years old but from the victim's statement discussed in the order of learned



trial court rejecting the petitioner's prayer for bail, it is evident that the victim herself left her parents' house and the petitioner neither persuaded her to leave her house nor forcefully removed her from her parents' house, so, the offence of kidnapping does not attract against the petitioner. It is further submitted that there is no eye witness of the occurrence and no one claimed to have seen the petitioner taking away the victim from her parents' house at the relevant time.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering aforesaid submissions advanced by the petitioner's counsel and mainly taking into account the petitioner's fair and clean antecedent, coupled with the fact that the victim has been recovered and the prosecution has not shown requirement of police interrogation from the petitioner, this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Barun P.S. Case No. 338/2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the



satisfaction of the Court concerned, subject to the conditions as
laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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