

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15104 of 2025

Arising Out of PS. Case No.-892 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Rakesh Kumar S/O Shivnath Yadav Resident of Village- Mustafapur, Police
Station- Goroul (Kathara O.P), District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hajipur Sadar P.S. Case No. 892 of 2024 dated 22.11.2024 registered for the offences punishable u/ss 115(2), 352, 126(2), 87 read with Section 3(5) of the B.N.S.

3. As per the prosecution case, on 21.11.2024, the informant's daughter went to the College to fill up the form and she talked to her mother on phone and thereafter, her mobile got switched off and about 01.40 hours, in the night, there was a text message of the informant's daughter stating therein that she was abducted and assaulted by the petitioner and he is misbehaving



with her. On the said information, the informant went to the house of the petitioner where the co-accused, Shiv Nath Rai and Raushan Kumar abused him and assaulted him with rod but he managed to escape.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the petitioner. Learned counsel has further submitted that there is no allegation of sexual assault against the petitioner which is evident from the statement of the victim recorded u/s 183 of the B.N.S.S. It is further submitted that the victim has solemnized marriage with the petitioner and the affidavit regarding the marriage is being annexed with the bail petition as Annexure-P/2. The petitioner has no concern with the alleged offence. The petitioner has eight criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 26.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 892 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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