

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16213 of 2025

Arising Out of PS. Case No.-37 Year-2023 Thana- ARWAL MAHILA District- Jehanabad

Bimlesh Kumar @ Vikash Kumar S/O Nunu Yadav Resident of Village-
Paryag Bigha, P.S.- Karpi, (Shahar Telpa O.P), District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mahila
(Arwal) P.S. Case No. 37 of 2023 instituted for the offences
under Sections 376/109/120B of the Indian Penal Code and
Section 66(E) of the I.T. Act.

3. As per prosecution case, the accusation against the
petitioner is of making physical relationship with the victim
initially on the false pretext of getting her employment after her
Intermediate and, later on, after blackmailing her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.



He further submits that both the parties are closed to each other since 2021 and the case was lodged in the year 2023 i.e. after inordinate delay that too without disclosing any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. The doctor has assessed the age of the victim in between 20-22 years. There was a love affair between the parties and both of them have also solemnized marriage before the Notary Public. Charge-sheet has been submitted in this case. The petitioner has one criminal antecedent and is languishing in judicial custody since 04.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He submits that the Informant in her re-statement contained in Para-3 and the witnesses in Paras- 4 & 5 of the case diary have supported the prosecution case. The victim girl in her statement recorded under Section 164 Cr.P.C. has also corroborated the allegation made in the F.I.R. The petitioner has also given his confessional statement which is contained in Para-16 of the case diary.

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking



into account the statement of the victim girl recorded under Section 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the aforesaid period of six months, the petitioner will be at liberty to renew his prayer for bail before the court below which will be decided on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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