

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19185 of 2025

Arising Out of PS. Case No.-453 Year-2024 Thana- KONCH District- Gaya

Ritesh Kumar S/o- Rajendra Ram Vill- Bania PS- Madanpur Distt-
Aurangabad Bihar

... .. Petitioner

Versus

1. The State of Bihar
2. Lalti Devi W/o- Mithilesh Yadav Village- Gosha PS- Konch Dist-
Gaya.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 28-07-2025 Notice regarding jointness was filed by learned

counsel appearing on behalf of the petitioner.

2. In view of aforesaid, notice validly served

upon the opposite party no. 2.

3. Heard learned counsel appearing on behalf of

the petitioner and learned A.P.P. for the State.

4. Petitioner seeks bail in connection with Konch

P.S. Case No. 453 of 2024 registered for the offences

under Sections 96 of the Bhartiya Nyay Sanhita, 2023.

5. The petitioner is named in the First

Information Report and is in custody since 24.10.2024.



6. Allegation against the petitioner is to kidnap the minor daughter of the informant aged about 16 years for the purpose of sexual assault or forced/seduced her to solemnize the marriage with another person.

7. It is submitted by learned counsel appearing on behalf of the petitioner that after recovery the victim upon medical examination found between age group of 18 to 19 years.

8. It is submitted that the statement of the victim categorically suggests that she was not kidnapped by the petitioner, rather she was in love with him while residing in maternal uncle's home/village and when the matter came into the knowledge of her mother, she, on her own, went to her uncle living at Jaipur. It is submitted that victim categorically stated that she went to Jaipur alone.

9. It is pointed out that even as per medical report, it cannot be said that the rape was committed upon the victim.

10. While concluding argument, it is submitted



that the petitioner is a man of clean antecedent, moreover, investigation of this case is completed and as such, there is no chance of tampering with the evidence.

11. Learned A.P.P. for the State, while opposing prayer for bail of the petitioner, submitted that allegation is very specific against the petitioner.

12. Considering the aforesaid factual submission and by taking note of the fact as the statement of the victim completely negating the allegation of kidnapping and sexual assault, coupled with the fact that petitioner is in custody since 24.10.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO-cum-Additional Sessions Judge-VII, Gaya, in connection with Konch P.S. Case No. 453 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the



Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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