

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22536 of 2025**

Arising Out of PS. Case No.-417 Year-2020 Thana- RAMNAGAR District- West Champaran

Kamlesh Kumar S/O Bhikhu Mahto R/O Vill.-Parsauni, P.S-Gobardhana,  
(Dumri), Dist.- West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Neema Kumari Daughter of Late Raghunath Mahto R/O Village-Barbari Bazar District-West Champaran. Residence of P.S.-Gobardhana Dumri

... .. Opposite Parties

**Appearance :**

For the Petitioner : Mr. Binay Kumar, Advocate  
For the State : Mr. Raj Kishor Singh, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      30-04-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Ramnagar P.S. Case No.417 of 2020, dated 22.11.2020 registered for the offences punishable under Sections 493 and 376 of the Indian Penal Code.

3. As per allegation, the sole accused-petitioner established physical relationship with the informant lady continuously for two years on promise to marry her. But later on the petitioner married to some other lady. Even then, he came to her house to have physical relationship but she protested against it. It further transpires that after investigation, the police closed



the case against the petitioner finding insufficient evidence by filing final form. However, under revisional order cognizance has been taken by learned Magistrate against the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is a government Railway employee, posted in Kerala and there is no truth in the allegation and that is why police has filed the final form closing the case against him.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, particularly the fact that police has exonerated the petitioner for want of sufficient evidence, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of



this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Concerned Court Below, in connection with Ramnagar P.S. Case No.417 of 2020, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

**(Jitendra Kumar, J)**

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