

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24685 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- BARACHATTI District- Gaya

Rahul Kumar S/o Sanjay Rajak R/o vill - Pratapi, P.S.- Barachatty, Distt.-
Gaya

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 24-07-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Barachatti
P.S. Case No. 28 of 2025 registered for the offences under
Sections 87, 129(2) of the Bhartiya Nyay Sanhita, 2023.

3. The petitioner is named in the First Information
Report and is in custody since 14.01.2025.

4. Allegation against the petitioner is to kidnap the
minor daughter of the informant aged about 16 years for the
purpose of illicit intercourse or seduced/forced her to perform
marriage with another person.

5. It is submitted by learned counsel appearing on
behalf of the petitioner that the daughter of the informant,



after recovery, while recording her statement under section 183 of the B.N.S.S., nowhere stated that she was kidnapped or sexually assaulted by this petitioner, rather stated that she, out of her own sweet-will, accompanied with petitioner and solemnized marriage in a temple.

6. It is submitted that as per radiological examination, the age of the victim was found between the age group of 18 to 19 years.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent, where investigation of this case is already completed and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. Considering the facts and circumstances as mentioned above and by taking note of the fact as the victim after recovery *prima facie* denied the allegation of kidnapping and sexual assault while recording her statement under section 183 of the B.N.S.S., coupled with the fact that petitioner is in custody since 14.01.2025, 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 A.C.J.M.-II, Sherghati, Gaya/concerned court, in connection with Barachatti P.S. Case No. 28 of 2025, 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)

Rajeev/-

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