

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27431 of 2025

Arising Out of PS. Case No.-446 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Raja Kumar @ Nilesh Kumar, S/O Late Arun Ray, R/O Village- Inayatpur
Dhamaun, P.S- Patory @ Shahpur Patory, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-05-2025 Heard Mr. Lakshmindra Kumar Yadav, learned
counsel for the petitioner and Mr. Surendra Kumar, learned APP
for the State.

2. Petitioner seeks regular bail in connection with
Patory @ Shahpur Patory P.S. Case No. 446 of 2024 dated
12.11.2024 registered for the offences punishable under sections
96 and 3(5) of the Bharatiya Nyaya Sanhita (in short 'BNS').

3. The main submissions advanced by petitioner's
counsel are that the petitioner is co-villager of the so-called
victim and he has been arrested from his house and the alleged
occurrence is said to have taken place on 10.11.2024 and the
said victim, who has been recovered, recorded her statement
before the Judicial Magistrate and stated that the petitioner and
his three companions kidnapped her and closed her eyes,



administered her some sedative material and took away a locket worth Rs. 20,000/- from her neck and thereafter, she was left in a train, from where she went to Parwal and from there, she went to her school and informed her father. It is further submitted that in view of the said story narrated by the victim, it is clearly evident that the victim was freed by the co-accused persons on the same day of her kidnapping and as per the victim, the informant got the information of the alleged crime on the same day and the most important thing is that the victim was recovered on 25.11.2024, i.e. after 14 days of the commission of the alleged occurrence, from the house of her *fua*, sister of the informant, and in this regard, a specific statement has been made in paragraph No. '10' of the petition, so, the said conduct with regard to victim's silence for 14 days in not revealing the alleged crime to the police completely goes against the prosecution and makes the prosecution story to be highly suspicious. It is lastly submitted that the petitioner has fair and clean antecedent and has been languishing in jail since 29.01.2025 and against him, the investigation has been completed.

4. Learned APP for the State has opposed the bail prayer of the petitioner.



5. Considering the aforesaid submissions and mainly the facts that the victim has been recovered and the petitioner has fair and clean antecedent and against him the investigation has been completed, in my opinion, it is a fit case to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Patory @ Shahpur Patory P.S. Case No. 446 of 2024.

(Shailendra Singh, J)

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