

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30891 of 2025

Arising Out of PS. Case No.-153 Year-2024 Thana- RIVILGANJ District- Saran

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Budhan Rai S/O Devsharan Rai R/O village- New Basti, P.S.- Rivilganj,
Dist.- Saran at Chapra. Petitioner/s

Versus

1. The State of Bihar.
2. Sabita Devi @ Sabit Devi W/O Rameshwar Rai R/O village- Naya Vasti,
Bhadpa, P.S.- Rivilganj, Dist.- Saran at Chapra.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Tiwary, Advocate
For the Opposite Party/s : Ms.Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 03-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Rivilganj P.S. Case No.
153 of 2024, registered for the offences punishable under
Sections 363, 366(A) of the Indian Penal Code and later on
Sections 376 and 511 of the IPC and Section 8 of POCSO Act was
added.

3.The allegation against the petitioner is to kidnap the
minor daughter of the informant alongwith other co-accused
persons for the purpose of illicit intercourse/marriage with another
person. Subsequently, addition *qua* offence punishable under



Section 376 read with Section 511 of the IPC was added in FIR.

4. Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation as per FIR is against co-accused Pappu Rai @ Bhuwar Rai, who has already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.25530 of 2025 dated 07.10.2025. It is pointed out that as per FIR, this petitioner was implicated as he was one of the accomplice of main co-accused Pappu Rai. It is also submitted that the minor daughter of the informant was in love affairs with co-accused Pappu Rai. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Heard Learned APP.

6. Mr. Chandra Mohan Jha, learned counsel appearing on behalf of the informant, while opposing the prayer of bail submitted that as per statement of victim as recorded under Section 164 of Cr.P.C., this petitioner makes her senseless during the course of occurrence.

7. Considering the aforesaid facts and circumstances and by taking note of fact as the allegation of kidnapping is specifically available against co-accused Pappu Rai, who has already granted anticipatory bail, accordingly, above named



petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Additional Sessions Judge, (POCSO), Saran at Chapra/concerned Court, where the case is pending in connection with Rivilganj P.S. Case No. 153 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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