

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29108 of 2025

Arising Out of PS. Case No.-355 Year-2024 Thana- MAJHAULIA District- West Champaran

Rahul Kumar @ Aman Kumar, S/o Ramdev Pandit, R/o Basra, Ward No. 03,
P.S.- Majhaulia, District- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Renu Devi, W/o Suman Sah, R/o Village- Basda, Ward No. 03, P.S.-
Majhaulia, District- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Umesh Kumar Gupta, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Majhaulia P.S. Case No. 355 of 2024,
dated.27.05.2024, registered for the offences punishable under
Sections 363, 366A, 34 of the Indian Penal Code and Section 8
of the POCSO Act.

3. As per allegation, the 17 year old daughter of the
informant has been kidnapped by the petitioner and other co-
accused with intent to marry her.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that as a matter of fact, the alleged victim is 25 years of age but the informant/mother had filed the criminal case by showing her only 17 years old. He further submits that in fact, she is in love with the petitioner and she wanted to marry him but her parents were not in favour of the marriage. Hence, the alleged victim left her home and joined the petitioner and married him as per *hindu* rites and customs and she is leading a happy married life living at her matrimonial home. He further refers to the supplementary affidavit, filed by the petitioner with annexure, as per which the alleged victim has filed one application in the Court of POCSO to the effect as submitted by learned counsel for the petitioner.

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 as well as learned counsel on behalf of the alleged victim supports the submissions as advanced by learned counsel for the petitioner.

8. Considering the aforesaid facts and circumstances, **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 Majhulia P.S. Case No. 355 of 2024, 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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