

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33948 of 2025

Arising Out of PS. Case No.-925 Year-2024 Thana- JAHANABAD District- Jehanabad

Raushan Kumar S/o Rajesh Pandit R/o Village- Rauniya, Post- Bara, P.S.-
Bhagwanganj, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhami Devi W/o Sudhir Kumar Yadav R/o Daulatpur, P.S.- Kadauna,
Dist.- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Anand, Advocate
For the State	:	Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State. However, despite service of notice, no one
appears on behalf of the informant/opposite party no.2.

2. In the present case, the petitioner seeks bail in
connection with Jehanabad P.S. Case No. 925 of 2024 registered
on 21.11.2024 for the offences under Sections 87, 96, 352,
351(2), 351(3) and 3(5) of the BNS and Sections 4 and 6 of the
POCSO Act.

3. As per prosecution case, minor daughter of the
informant did not return after she went to attend her classes.
Thereafter, the informant came to know about the petitioner who
uploaded photographs of the daughter of the informant on
facebook.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The alleged occurrence took place on 02.11.2024 but the FIR has been lodged on 21.11.2024 without any satisfactory explanation for the delay. Learned counsel further submits that statement of the victim girl was recorded under Section 180 of BNSS wherein she stated that she asked the petitioner to run away and they travelled to Chennai where they stayed for sometime and after coming to know about lodging of kidnapping case, they returned. Petitioner is a student aged about 19 years and there is love affair between the petitioner and the daughter of the informant and they ran away due to family pressure and restrictions. The petitioner never forced the daughter of the informant in leaving her house. Learned counsel further submits that daughter of the informant is not minor and the medical report shows her age to be 18-19 years. Petitioner is in custody since 05.12.2024 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner. However, learned APP concedes that even in her statement recorded under Section 183 of BNSS, the daughter of the informant has not made any allegation against



the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the victim girl completely absolved the petitioner of any wrong doing and further considering the medical report and also considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VI-cum-Special Judge, POCSO, Jehanabad/concerned court in connection with Jehanabad P.S. Case No. 925 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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