

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41067 of 2025**

Arising Out of PS. Case No.-358 Year-2024 Thana- KASIMBAZAR District- Munger

Rakesh Kumar @ Jaswant Kumar S/o Bilash Prasad Yadav R/o Village-  
Durga Asthan, P.O.- Sandalpur, P.S.- Kasim Bazar, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Suman Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Suryanarayan Sah, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      06-08-2025                      Heard Mr. Suman Kumar Mishra, learned counsel  
for the petitioner and Mr. Suryanarayan Sah, learned APP for  
the State.

2. The petitioner has prayed for bail in connection  
with Kasim Bazar P.S. Case No. 358 of 2024 registered for the  
offence punishable under Sections 64, 85, 115(2), 351(2), 3(5)  
of the B.N.S. and Section 3/4 of the D.P. Act.

3. The case of the prosecution is that the informant  
developed a relationship with the petitioner on Facebook. After  
that, the petitioner started visiting the informant's house. It is  
alleged that on 25.10.2021, for the first time, he has established  
a physical relationship forcefully. It is further alleged that the  
victim was taken to Deoghar, where they solemnized the  
marriage. They lived in a room and established physical



relationship. It is further alleged that she got pregnant, and on advice of the petitioner, she consumed medicine for the medical termination of the pregnancy. It is further alleged that she again got pregnant due to the physical relationship. Ultimately, the informant went to the house of the petitioner, where she was being abused and assaulted.

Anyhow, the petitioner saved her. The ultimate allegation is that the family members of the informant are demanding Rupees Nine Lakhs and a Bullet motorcycle; only then will the marriage be solemnized.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that the informant is a minor and relationship was started through Facebook. According to the FIR, first forceful sexual intercourse was conducted on 25.10.2021, but she has not informed any authority regarding this act and she has made the complain only after much time on 16.02.2024, and the last part of the FIR goes to show that all the endeavor is for solemnizing marriage. It has lastly been submitted that a statement has been made in para 3 of the petition that petitioner has no criminal



antecedent. Petitioner is languishing in judicial custody since 18.03.2025.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 358 of 2024.

**(Ashok Kumar Pandey, J)**

Sudhanshu/-

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