

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40246 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- BISFI District- Madhubani

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Raushan Kumar @ Raushan Kumar Yadav @ Raushan Yadav S/o Pradeep
Yadav R/o Village- Keshwatol, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Prakash
For the Opposite Party/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bisfi P.S. Case No. 38 of 2024 dated 04.02.2024 registered for the offences punishable under Sections 363, 366A read with Section 34 of the I.P.C., Sections 8 and 12 of the POCSO Act and Sections 3(1)(r), 3(1)(s) of the SC/ST Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

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



this case. It is further submitted that the alleged occurrence took place on 12.06.2023 but the F.I.R. was lodged on 04.02.2024 after a delay of eight months for which no satisfactory explanation has been given by the prosecution. The victim has been recovered and her statement has been recorded under Sections 161 and 164 of the Cr.P.C. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that there was love affair between her and the petitioner for three years but one co-accused Ratan Yadav who is the friend of Raushan Yadav wants to marry her but the same has been denied by her and due to that reason, the co-accused Ratan Yadav, Shree Narayan Yadav, Lakhendra Yadav and others threatened to kill her and on the alleged date and time of occurrence, when the victim was walking on the road, some accused persons kidnapped her and told to marry with the co-accused Ratan Yadav and the said Ratan Yadav took her to Delhi and kept in the house of his maternal uncle. The other co-accused persons have already been granted bail by this court *vide* order dated 11.12.2024 passed in Cr. Misc. No. 70249/2024. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under the provisions of SC/ST is made out against the petitioner. The



petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Bisfi P.S. Case No. 38 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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