

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38605 of 2025

Arising Out of PS. Case No.-109 Year-2015 Thana- BARAULI District- Gopalganj

Barjesh Ram @ Brijesh Ram S/O Sudama Ram @ Sughan Ram Resident of
Village - Subhani Tola, Police station - Barauli, Dist- GopalGanj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 02-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barauli
P.S. Case No. 109 of 2015 instituted for the offence under
Sections 366(A) & 34 of the Indian Penal Code. Subsequently,
charge sheet is submitted under Sections 366(A), 376 & 34 of
the IPC.

3. Prosecution case, in short, is that petitioner along
with co-accused allegedly taken away the minor daughter of the
informant for the purpose of marriage.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-12-2024. Petitioner
bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of seven days in lodging the FIR. There is discrepancy in the statements of the victim recorded under Sections 161 & 164 of the Cr. P.C. Learned counsel for the petitioner submits that petitioner is the victim of the circumstance owing to long standing dispute between the parties. It is lastly submitted that other co-accused were enlarged on anticipatory bail by a Co-ordinate Bench of this Court vide order dated 01-09-2016, passed in Cr. Misc. No. 25912 of 2016.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Victim in her statement recorded under Section 164 of the Cr.P.C., has fully supported the prosecution case and she has also deposed that she was subjected to physical intercourse. Other witnesses have also supported the prosecution case. Petitioner was declared absconder also.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, moreover, victim in her statement recorded under Section 164 of the Cr.P.C. has



fully supported the prosecution case, hence, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is accordingly *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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