

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38262 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- Mufassil District- Khagaria

Rohan Kumar, aged about 24 years (Male), S/o Mantun Singh, R/o Village-
Samastipur, Ward No. 5, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Rahul Singh, Advocate
For the Informant	:	Mr. Anil Kumar Choudhary, Advocate
For the Opposite Party	:	Mrs. Rina Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 16-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 30 of 2025 dated 17.02.2025 registered
for the offences punishable under Sections 137(2), 96 read with
Section 3(5) of the B.N.S., 2023

3. As per the prosecution case, on 15.02.2025 at about
2.00 P.M., when the minor daughter of the informant cried, the
informant and his family members woke-up and ran towards the
direction of the victim then they saw that Rohan Kumar
(petitioner), the co-accused Mantoon Kumar Singh, Gunjan
Devi, Gulshan Kumar Singh, Manisha Kumari and Aadesh
Kumar forcibly got the victim boarded on the vehicle and fled



away.

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 15.02.2025 at 2.00 A.M., and the F.I.R. has been lodged on 17.02.2025 at 20.30 hours and for the delay in lodging the F.I.R., no explanation has been given by the prosecution. It is further submitted that from perusal of the Aadhar Card of the victim, it appears that her date of birth has been mentioned as 11.12.2007 meaning thereby she is aged about 17 years 02 months and 04 days. The victim has been recovered and her statement under Section 183 of the B.N.S.S., 2023 has been recorded in which she has stated that having left her house, she was wandering here and there due to fear of assault by her father. The petitioner used to drive the vehicle of her father and she loved the petitioner. The victim on her own sweet will went with the petitioner by train to somewhere and stayed in a room where physical relationship was also established between them and thereafter both of them solemnized marriage in a temple and started living as the husband and wife. As per para 30 of the case diary, the age of the victim is more than 20 years on the basis of all the X-ray



finding (Report of the Medical Board). The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 19.03.2025.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has further submitted that the petitioner alongwith other co-accused persons forcibly kidnapped the minor daughter of the informant from her house.

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 C.J.M. Khagaria in connection with Muffasil P.S. Case No. 30 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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