

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40404 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

Rahul Kumar S/O Naresh Paswan R/v - Durja pahalwan,ghat shiv
mandir,P.S-. Budhha colony, district - patna, at present Residence of Mohalla-
rajapur pul Gate no-28, P.s- Buddha Colony, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bimal Kumar Gupta S/o Late Shivsharan Prasad At present residence of
village- East Anandpuri House no-1 , P.S- S.K Puri, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Sujata Sinha, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

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

ORAL ORDER

8 14-11-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sri
Krishnapuri P.S. Case No. 126 of 2024, instituted for the
offences punishable under Sections 363 and 366-A of the Indian
Penal Code.

3. The prosecution case, in short, is that minor
daughter of the informant went missing from the house. It is
further alleged that the daughter of the informant was caught
talking to the co-accused Rohan Kumar the previous night and
he allegedly encouraged her to flee. The informant suspects that
the co-accused has kidnapped her with the intent to marry.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Rohan Kumar and the same has got no evidentiary value. It is next submitted that the petitioner is no way concerned either with the victim or with the co-accused person. No any specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. The petitioner is in custody since 04.08.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 20.02.2025 passed in Cr. Misc. No. 83504 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of rape against the petitioner. It is further submitted that the victim is minor and she has levelled specific allegation of rape against the petitioner in her statement recorded under Section 164 of Cr.P.C. Hence, the petitioner does



not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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