

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41764 of 2025

Arising Out of PS. Case No.-150 Year-2024 Thana- SONO District- Jamui

Roushan Kumar, Son of Krishna Singh, Resident of Village- Madhopur, PS- Islampur, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED], Resident of Village- Dhodhari, P.S.- Sono, Distt.- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP
For the Informant	:	Mr. Priya Raj, Advocate
		Mr. Sandeep Kumar, Advocate
		Mr. Manoj, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 26-09-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sono P.S. Case No. 150 of 2024 registered for the offence punishable under Sections 365 and 366-A of the Indian Penal Code and Section 8 of the POCSO Act which was earlier dismissed as withdrawn by this Court vide order dated 23.01.2025 passed in Cr. Misc. No.75140 of 2024 with a liberty that the petitioner may **renew his prayer for bail after five months.**

3. The case of the prosecution is that the petitioner



who is brother-in-law of the victim has kidnapped her.

4. Learned counsel for the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. During course of investigation, the victim has given her statement under Section 164 of the Cr.P.C. wherein she has stated that she has gone to market. At that time, the petitioner arrived there, took her to market and gave her something to eat and after that she got unconscious. When she regained her conscious, she found that she was in a train. She was taken to Delhi. She lived there with the petitioner in a room. It has also been submitted that petitioner established physical relationship with her. It has further been stated by the victim that the petitioner solemnized marriage with her at Delhi. From perusal of the medical examination of the victim, it is clear that the doctor has opined that it cannot be clearly said whether the intercourse was forceful or not. It has also been submitted that during course of trial, the victim has been examined and she has stated in her examination-in-chief that this petitioner took her to Jhajha and from there he took her to railway station and from there she was taken to Delhi. She has stated that this petitioner established forceful physical relationship with her. It has also been



submitted by learned counsel for the petitioner that as per the statement of the victim under Section 164 of the Cr.P.C. it is clear that it has been alleged that something was administered to her due to which she got unconscious whereas in her examination before the Court she has not stated anything regarding administering of anything to her due to which she got unconscious. It has also been submitted that the conduct of the victim shows that she has gone willingly as she did not raise any alarm while she was taken to different places by the petitioner. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 13.05.2024.

5. The stage of the trial was called for from the trial Court and from perusal of which, it appears that out of 9 charge sheet witnesses only 4 witnesses have been examined.

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

7. 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



Additional Sessions Judge-Ist, Jamui in connection with Sono
P.S. Case No. 150 of 2024 **with the condition that the
petitioner will cooperate in trial and will be present in the
trial Court whenever required.**

(Ashok Kumar Pandey, J)

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