

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46308 of 2025

Arising Out of PS. Case No.-22 Year-2023 Thana- DUMARIYA District- Gaya

Abhishek Kumar @ Lallu S/o- Dharmdeo Paswan Resident of Village-
Salaiya Tola Kasiyadh PS-Dumariya District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akbari Khatoon W/o- Late Abdul Rahman Resident of Village- Salaiya Tola
Kasiyadh PS-Dumariya District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Jubair Ansari, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP
For the Informant	:	None

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

ORAL ORDER

4 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary. None appears on
behalf of the informant despite notice being validly served.

2. The petitioner seeks bail in connection with
Dumariya P.S. Case No. 22 of 2023 instituted for the offences
under Sections 363, 366A, 34 of the Indian Penal Code.

3. Accusation against the petitioner is of luring away
the informant's minor daughter with intention to marry her.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of two
days in lodging the FIR without any plausible explanation,



which in itself, raises doubt over the prosecution story. Learned counsel further submitted that petitioner and the victim are co-villagers and have fallen in love with each other. He further submitted that victim is major as per the medical report. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that the petitioner established physical relationship with her against her will, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also Section 164 Cr.P.C. statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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