

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47264 of 2025

Arising Out of PS. Case No.-126 Year-2022 Thana- VIJAYEPUR District- Gopalganj

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1. Chandrabhan Ram son of Late Budhram Ram Resident of Village -Samhuti PS -Vijayipur, Dist- Gopalganj
 2. Suraj Kumar Ram son of Late Budhram Ram Resident of Village -Samhuti PS -Vijayipur, Dist- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajmati Devi Wife of Babu Lal Ram Resident of Village -Samhuti PS -Vijayipur, Dist- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 23-09-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Vijaipur (Bijaipur) P.S. Case No. 126 of 2022 instituted for the offences under Section 366 of the Indian Penal Code.

3. Accusation against the petitioners is of kidnapping the informant's daughter with ill intention.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel further submitted that petitioner no. 1 is named whereas petitioner no. 2 is not named in the FIR. The name of



the petitioner no. 2 has transpired in this case during investigation. Learned counsel further submitted that petitioners are innocents and have not committed any offence and, as a matter of fact, the victim has left her house on her own will. Learned counsel further submitted that the victim is already married to someone else and is living a happy married life. It has been submitted on behalf of the petitioners that the petitioners are in custody since 14.04.2025 and have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners stating that victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has supported the case of prosecution. Learned APP further submitted that petitioner no. 1 tried to commit rape on the victim as per her statement.

6. Considering the aforesaid facts and circumstances of the case and since there is direct allegation against the petitioner no. 1, as per the Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner no. 1.

7. Accordingly, prayer for grant of bail to the



petitioner no. 1 is *rejected*.

8. So far as petitioner no. 2 is concerned, there being no direct allegation of attempt to commit rape upon the victim has per her Section 183 BNSS statement as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner no. 2.

7. Let the *petitioner no. 2* be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vijaipur (Bijaipur) P.S. Case No. 126 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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