

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48439 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- BAJPATTI District- Sitamarhi

Ravi Kumar @ Ravi Shankar Ram S/O Dilip Ram Resident of Village- Saura,
P.S.- Bajpatti Dist- Sitamarhi

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 09-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Bajpatti P.S. Case No. 41 of 2024 registered for the
offences under Sections 363, 366(A), 504, 506/34 of the
Indian Penal Code.

3. The accused/petitioner is named in the First
Information Report and is in custody since 22.04.2025.

4. Allegation against the petitioner is to kidnap the
minor daughter of the informant while she had gone to attend
the call of nature along with her grandmother, for the purpose
of illicit intercourse/marriage with another person.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that victim girl was in love affairs with the petitioner and solemnized marriage with him out of her own sweet-will.

6. It is submitted that the victim, after recovery, completely negate the allegation of kidnapping and sexual assault against the petitioner while recording her statement under section 164 of the Cr.P.C., rather she categorically stated that she, out of her own, solemnized marriage with this petitioner and living with him as wife.

7. It is pointed out that while recording her statement under section 164 Cr.P.C., the victim disclosed categorically that she is 21 years old, however, she said to be minor as per her school certificate. It is submitted that the victim is living happily with parents of the petitioner.

8. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already completed and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.



10. In view of aforesaid factual submission and by taking note of the fact as victim *prima facie* negate the allegation of kidnapping and sexual assault against the petitioner while recording her statement under section 164 of the Cr.P.C., coupled with the fact that petitioner remains in custody since 22.04.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned ADJ-VI-cum-Special Judge, POCSO, Sitamarhi/ concerned court, in connection with Bajpatti P.S. Case No. 41 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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