

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61690 of 2024**

Arising Out of PS. Case No.-115 Year-2024 Thana- JAMHOR District- Aurangabad

Rahul Kumar, S/o Wakil Paswan @ Wakil Paswan, R/o vill - Mahuli, Khuthan,
P.S. Haspura, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinkatesh Paswan, S/o Raman Paswan, R/V- Dharampur Bigha, P.S.-
Jamhore, District- Aurangabad (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate
For the Opposite Party/s : Mr.Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

4 16-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Jamhore P.S. Case No. 115 of 2024 instituted for the offence under
Sections 363, 366A of the Indian Penal Code and Section 8 of the
Protection of Children from Sexual Offences Act.

3. The case of the prosecution is that on 23.06.2024, the
daughter of the informant aged about 16 years has gone to attend
the call of nature. She did not return for a considerable time. After
that, the informant started searching his daughter. He came to
know that Rahul Kumar (petitioner) has kidnapped his daughter
for the purpose of establishing physical relationship.

4. It is submitted by learned counsel for the petitioner



that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. It is further submitted that though the offence is of 23.06.2024 but the F.I.R. was lodged on 28.06.2024. It has also been submitted that it is a case of love affair outside marriage. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.06.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that during investigation, the victim has given her statement under Sections 161 and 164 of the Cr.P.C. wherein she has categorically stated that the petitioner has taken her forcefully on a bike. He kept her in a room and forcefully committed rape.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. Petitioner will be at liberty to renew his prayer for bail after six months, if so advised.

(Ashok Kumar Pandey, J)

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