

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65588 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- KHUDWA District- Aurangabad

Akshay Kumar S/o Premchand Chaudhary R/o Village - Abdulpur, P.S -
Khudwan, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lav Kumar S/o Late Hari Chaudhary R/o - Abdulpur, P.S - Khudwan,
District - Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Singh, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Priyanshu Kumar, Advocate

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

ORAL ORDER

5 01-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with
Khudwan P.S. Case No. 50 of 2025 instituted for the offences
under Sections 96, 137(2) of the Bharatiya Nyaya Sanhita, 2023
and Sections 8/12 of the POCSO Act.

3. Accusation against the petitioner is of commission
of rape upon the victim girl. Accusation against the petitioner is
of luring away the victim girl on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel for the petitioner submitted that victim in her



Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that nothing has been whispered against the petitioner in Section 183 BNSS statement of the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed,*** 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 Khudwan P.S. Case No. 50 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

