

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71286 of 2025

Arising Out of PS. Case No.-394 Year-2022 Thana- MOTIPUR District- Muzaffarpur

Lal Mohan Kumar @ Lal Mohan Kumar Sahani @ Lal Mohan Sahni @ Lal Mohan Sahai Son of Rajeshwar Sahani Resident of Village - Rajdhani, P.S. - Taraiya, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar
For the Opposite Party/s : Mr. Shailendra Kumar
Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-11-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. This is the second attempt of the petitioner for grant of regular bail in connection with Motipur P.S. Case No. 394 of 2022 registered for the offence under Sections 376, 354, 354(b), 354(c), 323, 307, 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is said to have abducted the victim and committed rape with her.

4. The petitioner is in custody since 26.10.2024.

5. Learned counsel for the petitioner has vehemently argued on behalf of the petitioner and has relied on paragraph no. 10 of the bail petition which reads as under:-

“That it is most humbly submitted that



petitioner never established any physical relation without the consent of the complainant thus no offence under section 376 IPC is being made out against the petitioner; Rather as a matter of fact, both petitioner and complainant have solemnized their marriage and are ready to lead their conjugal life.”

6. In view of the above, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below in connection with Motipur P.S. Case No. 394 of 2022/ S. Tr. No. 409 of 2025.

8. As a condition of this order, the Court below, before accepting the bail bonds of the petitioner is directed to verify the aforesaid statement made in paragraph no. 10 of the bail petition. If the victim/informant supports the same then only the bail bonds of the petitioner shall be accepted.

(Sandeep Kumar, J)

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