

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74839 of 2024**

Arising Out of PS. Case No.-47 Year-2024 Thana- RAMGARH District- Kaimur (Bhabua)

Rahul Kumar @ Rahul Kumar Ram S/O Kanhaiya Ram R/O Village-
Sultanpur, P.S- Ramgarh, District- Kaimur At Bhabua, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjay Ram @ Sanjay Kumar Ram S/O Bihari Ram R/O Sultanpur, Post
Upari, P.S. Ramgarh, Dist.- Bhabhua at Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar Seth, Adv.
For the Opposite Party/s	:	Ms. Asha Devi, APP
For the Informant	:	Mr. Parwej Khan, Adv.

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

ORAL ORDER

7 02-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Ramgarh P.S. Case No. 47 of 2024 instituted for the offences
under Section 366(A) of the Indian Penal Code.

3. As per prosecution case, the accusation against the
petitioner is of kidnapping the minor daughter of the Informant
for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. Learned counsel for the petitioner submits that there is inordinate delay of six days in instituting the F.I.R. without there being any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. The Informant is not the eye-witness to the alleged occurrence. He further submits that the victim is a minor which is corroborated by the medical evidence. The victim girl has left her house on her own sweet will. The petitioner has no criminal antecedent and is languishing in judicial custody since 01.09.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that offence alleged against the petitioner is serious in nature. The victim girl in her statement recorded under Section 164 Cr.P.C. has specifically made an allegation against the petitioner of committing rape upon her. The Informant in her re-statement and several witnesses in the case diary has supported the prosecution case. The Investigating Officer after completion of investigation has submitted charge-sheet under Sections 366(A)/376 of the I.P.C. and Section 04 of the POCSO Act.

6. Having heard learned counsel for the parties and



considering the nature and gravity of the offence as well as the allegations levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

rishi/-

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

