

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1785 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- CHHABILAPUR District- Nalanda

Bipin Rajbanshi Son of Subodh Rajvanshi Resident of Village- Chakpar, P.S.-
Rajgir, District- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjay Rajbanshi Son of Raj Kumar Rajbanshi Resident of Village -
Udaypur, P.S. - Chhabilapur, District - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwa Bijay Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chhabilapur P.S. Case No. 11 of 2024 dated 28.01.2024 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code and the charge-sheet has been submitted under Sections 363, 365 and 376 of I.P.C. and Section 4/6 of POCSO Act.

3. As per the prosecution case, unknown miscreants are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The occurrence took place on 26.01.2024 and the FIR was lodged on 28.01.2024 and there is no explanation for this delay. It is further submitted that the statement recorded under Section 161 of the Cr.P.C., it is clear that this is not a case of kidnapping rather it is a matter of love affair between the petitioner and the victim. As per para-53 of the case diary, the statement recorded under Section 161 and 164 of Cr.P.C. has stated that she went to Gujarat with the petitioner where she solemnized marriage in a temple and they are living as husband and wife where thereafter she became pregnant. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.08.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the victim is a minor girl and she was kidnapped by the petitioner and established physical relationship due to which she became pregnant.

6. Considering the aforesaid facts and circumstances of the case as well as heinous nature of offence against the



petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Chhabilapur P.S. Case No. 11 of 2024, pending in the Court of learned 7th Additional District and Sessions Judge-cum-Special Judge POCSO, Biharsharif, Nalanda.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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