

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11804 of 2026

Arising Out of PS. Case No.-392 Year-2024 Thana- RAJAON District- Banka

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Kundan Kumar @ Kundan Kumar Das Son of Sargun Das R/o Village - Mohana, Police Station - Rajoun, District - Banka.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX Son of YYY R/o Village - Mohana, Police Station - Rajoun, District - Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Dharendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-04-2026 Heard Mr. Ajay Mukherjee, learned counsel for the petitioner, Mr. Dharendra Kumar, learned counsel for the informant and Mr. Tarun Prasad Mandal, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 06.12.2024 in connection with Rajoun P.S. Case No. 392 of 2024, F.I.R. dated 19.08.2024 for the offences punishable under Sections 126(2), 115(2), 351(2), 352, 64 and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner on the false pretext of marriage made physical relation with the informant's daughter and when the informant went to this



petitioner's house to complaint about the said incident, then father and brother of the petitioner abused and assaulted him and threatened him for dire consequences.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 183 of the BNSS, 2023 in which she has stated that on the pretext of marriage this petitioner has made physical relation with her. Apart from that the date of birth of the victim is 15.03.2009 which suggest that she was minor at the time of occurrence and it has also come during investigation that at the time of medical examination, she was pregnant.

6. Considering the nature of allegation as alleged in the FIR supported by the victim as well as the medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Rajoun P.S. Case No. 392 of 2024 pending in the court of



learned Additional Sessions Judge-VI-cum-Special Judge
POCSO, Banka.

7. Prayer is refused.

8. However, learned Trial Court is directed to expedite
and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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