

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30633 of 2026

Arising Out of PS. Case No.-28 Year-2025 Thana- CHANDAN District- Banka

Rupesh Kumar Ray @ Rupesh Kumar S/o Dinesh Kumar Ray R/o Village - Chuapani, P.S. - Bandhuwa Kurawa, Dist. - Banka(Bihar).

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XYZ S/o YYY R/o Village - Chandan, P.S. - Chandan, Dist. - Banka(Bihar).

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Pratyush Pratap Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 21-07-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Chandan P.S. Case No. 28 of 2025, instituted for the offences punishable under Sections 87, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and read with Section 12 of POCSO Act.

3. The prosecution case, in short, is that the petitioner and other accused persons allegedly enticed away the informant’s 16-year-old daughter in furtherance of a conspiracy and facilitated her elopement.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of four days in lodging the FIR. It is next submitted that the victim has left her house on her own will and went to Kolkata with the petitioner. It is further submitted that the victim has not supported the prosecution story in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner is in custody since 29.04.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation levelled against the petitioner of enticing the victim. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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