

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30057 of 2026

Arising Out of PS. Case No.-58 Year-2025 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Rahul Kumar @ Rahul Kumar Thakur @ Rahul Thakur S/o Ramnath Thakur
Resident of Village - Masankhon, PS - Kusheshwar Sthan, District –
Darbhanga. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shashank Chandra, Advocate
		Mr. Utkarsh Bhushan, Advocate
		Mr. Nitish Kumar, Advocate
		Mr. Shristi Raman, Advocate
For the Opposite Party/s :		Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-05-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner apprehending his arrest

in connection with Kusheshwar Sthan P.S. Case No. 58 of

2025 registered for the offences punishable under Sections

137(2), 97, 3(5) of the Bhartiya Nayay Sanhita 2023.

3. As per FIR, petitioner alleged to kidnap the

minor daughter of the informant aged about 17 years

alongwith co-accused persons for the purpose of illicit

intercourse/marriage with another person.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that during the course of investigation, the victim daughter of the informant was recovered whereafter her statement was recorded under Section 183 of the BNSS, where she categorically stated that she out of her own will went to Mumbai, as she was assaulted and badly behaved by her mother. It is specifically stated by her that she went alone without naming anyone including petitioner. It is submitted that aforesaid statement of victim is specifically available under para 116 of the case diary. It is submitted that the victim refused to join medical examination and, therefore, any corroborating material is also not available and same also not required in view of her statement as available under Section 183 of BNSS, as submitted aforesaid. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as victim *prima facie* negated allegation of kidnapping and sexual assault as mentioned aforesaid, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a



period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Biraul, Darbhanga/concerned Court, where the case is pending in connection with Kusheshwar Sthan P.S. Case No. 58 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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