

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29938 of 2026

Arising Out of PS. Case No.-488 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Rakesh Kumar S/o Ram Ekbal Sah @ Ram Ekwal Sah R/o Village
-Tilaktajpur, P.S. -Runnisaidpur, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 24-06-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Runnisaidpur P.S. Case No. 488 of 2021 registered for the offences punishable under Section 366/34 I.P.C.

3. As per the prosecution case, the daughter of the informant, who is the victim in the present case, had gone to the CSP Centre of Bank of India to apply for an ATM card but did not return home thereafter. Upon query with her friends, the informant came to know that the petitioner had allegedly taken away his daughter on a motorcycle. It has further been alleged that the family members of the petitioner were also involved in the kidnapping of the victim.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It has further been submitted that the FIR was initially lodged for the offence punishable under Sections 366 and 34 of the Indian Penal Code. However, upon completion of the investigation, the charge-sheet was submitted under Sections 366, 504, 506, and 34 of the Indian Penal Code as well as Section 6(E) of the IT Act. Learned counsel further submits that the victim is a major lady.

5. Learned counsel for the petitioner has drawn attention of this Court to the statement of the victim recorded under Section 164 Cr.P.C., which was called for by order dated 07.05.2026, that she had gone to the CSP Centre for submitting an application for an ATM card and on the way, the petitioner met her and requested that he would drop her at her house. It was a very sunny day, the victim sat on the motorcycle as the petitioner was riding it. Thereafter, he gave the victim a cold drink, after which she became unconscious and was taken to a house in which the parents of the petitioner were also present.

6. Referring to the statement recorded under Section 183 of the B.N.S.S., learned counsel for the petitioner has submitted that the victim, on one occasion, obtained a



screenshot from the petitioner's mobile phone, through which she shared her location with her father, thereafter her father reached the place, which was in Delhi.

7. Learned counsel for the petitioner has further submitted that the victim was a major lady and she was allegedly taken from Sitamarhi to Delhi. It has been contended that she had several opportunities to raise hue and cry, but she did not do so. Learned counsel has further submitted that she appears to have been a consenting party and that, due to pressure from her parents, her statement under Section 164 Cr.P.C. was recorded in the manner alleged. It has further been submitted that the victim returned to her house on her own along with her father and at the time of her recovery, the local police was not present there. It has also been submitted that there is no allegation of sexual assault against the petitioner and the victim refused to her medical examination. Lastly, it has been submitted that the petitioner has got one criminal antecedent in which he is on bail and he is in custody since 05.01.2026.

8. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

9. Heard the parties and perused the record.



10. Considering the facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Runnisaidpur P.S. Case No. 488 of 2021.

11. The application stands allowed.

(Praveen Kumar, J)

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