

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73554 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- GADHA District- Sitamarhi

Ravindra Kumar @ Rivindra Kumar S/O Vinay Das Resident Of Village-
Gadha @ Bahilwara, P.s.- Gadha, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kanchan Kumari W/O Ajay Paswan R/O Vill.- Bahilwara, Dhanushi, P.S.-
Gadha, Dist.- Sitamarhi.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 08-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Gadha P.S. Case No. 24 of 2025 registered for the alleged offences under Sections 137(2) and 96 r/w Section 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the minor daughter of the informant went missing and the informant named co-accused Chandan Kumar for being involved in the occurrence with the help of some other persons named in the written report. The name of petitioner transpired during investigation for being involved in commission of rape with the minor daughter of the



informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has not been named in the FIR and even the informant did not raise any suspicion against the petitioner. The occurrence took place on 12.05.2025 whereas the written application was given to the police for registration of FIR on 16.05.2025 and there is no explanation for delay of four days. During course of investigation, the victim girl has been recovered and her statement was recorded under Section 183 of BNSS wherein she disclosed that this petitioner and other co-accused persons committed rape with her. However, the allegation is not believable that the petitioner and two other persons made physical relationship with the victim and thereafter, she left for Delhi and stayed there for two days, from where she proceeded towards Nepal but did not reach Nepal. Learned counsel further submits that even the prosecution story is false and concocted. Considering these facts, co-accused Chandan Kumar and Kishan Kumar have been granted bail by different Co-ordinate Benches of this Court vide order dated 26.11.2025 passed in Criminal Misc. No. 47512 of 2025 and order dated 27.11.2025 passed in Criminal Misc. No. 70192 of



2025, respectively. Learned counsel further submits that except for the allegation made against the petitioner, there is no material against him. The petitioner is having clean antecedent and is in custody since 30.05.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against the petitioner for making sexual relationship with a minor girl.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the delay in lodging of FIR, nature of allegation and grant of bail to other co-accused persons and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi/court concerned in connection with Gadha P.S. Case No. 24 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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