

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75817 of 2025

Arising Out of PS. Case No.-58 Year-2025 Thana- BHAGWANPUR District- Vaishali

Rahul Kumar @ Chotu Kumar S/O Ravindra Shah R/O Bakhra Khurd, P.S-
Bhagwanpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saurabh Mishra, Adv Ms.Singh Shivani
For the Opposite Party/s :		Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-02-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 96, 137(2) and 3(5) of the
Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that on 02.03.2025, four accused persons namely, Golu,
Bhola, Babita and petitioner came on a motorcycle and
kidnapped her minor daughter, it is next alleged that the accused
may commit sexual assault, further, on enquiry, it transpired that
the motorcycle belonged to Nikhil, who had given mobile and
SIM card to the victim, thus, Nikhil might also be involved in



the occurrence.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the informant specifically alleges that accused persons including the petitioner kidnapped her minor daughter and on enquiry, it transpired that the motorcycle belonged to Nikhil who had given SIM and mobile to the victim. It is next submitted that the allegation gives an impression that the victim was not kidnapped rather had eloped. It is also submitted that victim was in a relationship with Golu and they eloped to West Bengal from where the victim was recovered on 28.03.2025 by the police from a room at Belur Math, District- Howrah, West Bengal. It is further submitted that after the victim came back and her statement was recorded under Section 183 BNSS, wherein she disclosed that Golu, petitioner along with Rohit had taken her away against her wish. It is next submitted that though the victim in her statement recorded under Section 183 BNSS has supported the case of the prosecution, but then no allegation of rape or committing any sexual assault is alleged. It is submitted that petitioner, being cousin brother of Golu, came to be implicated with a view to coerce Golu into submission. It is next submitted that petitioner is in custody since 28-5-2025



and charges have been framed by an order dated 10-9-2025. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhagwanpur (Vaishali) P.S. Case No.58 of 2025.

7. However, it is made clear that if the learned trial court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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