

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84497 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- Jaitpur District- Muzaffarpur

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Rakesh Kumar S/O Durga Ram Resident Of Village - Rupwada Rupauli,P.S-
Karja, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi W/O Balendra Ram Resident Of Village - Gosai Chhapra,P.S-
Saraiya, Dist.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Despite of entered appearance through *Vakalatnama*,

no one appeared on behalf of Opposite Party No.2.

2. Heard Mr. Manoj Kumar, learned counsel for the

petitioner as well as Mr. Anil Kumar Singh No. 1, learned

Additional Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since

05.08.2025 in connection with POCSO Case No. 262 of 2025

arising out of Jaitpur P.S. Case No. 143 of 2025, F.I.R. dated

10.08.2025 for the offences punishable under Sections 137(2),

96 of the Bharatiya Nyay Sanhita, 2023.

4. According to prosecution case, it is alleged that the

petitioner along with other accused persons kidnapped the



daughter of the informant on point of arms using intoxicating substance.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Infact the petitioner was in love with the victim girl and statement of the victim was recorded under Section 164 Cr.P.C/183 BNSS, in which she has not supported the case of the prosecution and apart from that medical report also does not support the allegations in the FIR and the petitioner is in custody since 05.08.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and the victim did not support the case of the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-VII-cum-Exclusive Special Court (POCSO-II), Muzaffarpur in connection with Jaitpur P.S. Case No. 143 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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