

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85442 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Md. Khawaeesh @ Md. Khwaiesh S/O Md. Shamsher Resident of Vill.- Bari
Bathana Ward No.- 12, P.S - Manshahi, Dist- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari W/O Sri Rajendra Singh R/O Vill.- Govindpur, P.S- Rautara,
Dist.- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-03-2026 Heard Mr. Amit Kumar Anand, learned counsel

for the petitioner and Mr. Pranav Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.03.2025 in connection with Sessions Trial No. 298 of
2025 arising out K. Hat P.S. Case No. 376 of 2024, F.I.R.
dated 26.07.2024 for the offences punishable under
Sections 137(1), 140(3), 96 and 3(5) of the BNS, 2023.

3. According to prosecution case, this petitioner
has kidnapped the minor daughter of the informant and
forcibly established physical relationship with her.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor on the material available on record as well as case diary has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Section 183 of the BNSS, 2023 in which she has categorically stated that when she went out of her hostel, she was kidnapped by the petitioner and the petitioner has forcibly established physical relationship with her and apart from aforesaid, the victim was minor on the date of occurrence.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 298 of 2025 arising out of K. Hat P.S. Case No. 376 of 2024 pending in the court of learned Additional Sessions Judge-I, Purnea.

7. Prayer is refused.



8. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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