

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90406 of 2025

Arising Out of PS. Case No.-24 Year-2025 Thana- Rajeshwari District- Supaul

Raju Sharma @ Rajo Sharma @ Rajo Chaupal @ Rajendra Chaupal S/O Late
Sahdev Sharma R/O Vill.- Kathi @ Katahi, Ward No.9, P.S.- Rajeshwari,
District- Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Uday Kant Chaupal S/O Late Vishnudev Chaupal R/O Vill.- Kathi @
Katahi, Ward No.12, P.S.- Rajeshwari, District- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-01-2026 Heard Mr.Nafisu Zzoha, learned counsel for the
petitioner and Mr.Nityanand, learned Additional Public
Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
10.10.2025 in connection with Rajeshwari P.S. Case
No.24/2025, dated 11.02.2025 registered for the offences
punishable under Sections 137(2),96,351(2),352,3(5) of BNS.

3. Allegation against the petitioner is that he
supported and helped the main accused Satish Kumar who
allegedly kidnapped the minor daughter of the informant and
married with her and committed sexual intercourse with her.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. It appears from the FIR that the specific allegation of kidnapping is attributed against co-accused person, namely, Satish Kumar and Sunil Kumar and allegation against the petitioner is that he abused and assaulted to the informant and his family members. Although the victim has been recovered and her statement under Section 183 of BNSS, 2023 was recorded in which she has not supported the case of the prosecution and apart from that, co-accused person, namely, Ramakant Sharma @ Ramanand Sharma @ Ramanand Chaupal @ Ramand Sharma, against whom the similar allegation, has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 16.09.2025 passed in Cr. Misc. No.45821 of 2025 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 10.10.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, there is no allegation of kidnapping attributed against the petitioner, victim has not supported the case of the prosecution and similarly situated co-accused person, namely, Ramakant



Sharma @ Ramanand Sharma @ Ramanand Chaupal @ Ramand Sharma, against whom the similar allegation, has been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned J.M.-1st Class, Supaul in connection with Rajeshwari P.S. Case No.24/2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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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