

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13841 of 2016**

Arising Out of PS.Case No. -70 Year- 2015 Thana -GARHPURA District- BEGUSARAI

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1. Rakesh Kumar Son of Angad Mukhiya resident of Village- Rajaur, PS-  
Garhpura, District Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Aditya Narayan Singh - 1(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

3      11-05-2016                      Heard the learned counsel for the petitioner as well as  
  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences  
punishable under sections 363, 366 (A) and 34 of the I.P.C

The victim after her return gave her statement under  
section 164 of the Cr.P.C. wherein she has alleged that the  
petitioner, co-accused Md. Monu and Vicky kidnapped her and  
further caused threats, Vicky was telling his friends to kill her.

Submission is that the victim has not alleged  
regarding any sexual harassment, she was safely released and she  
came to her house at her own, the prosecution story appears not  
probable and reliable, as a matter of fact, the victim girl was  
having love affair with Vicky and she went with Vicky out of her

own sweet will and thereafter she returned and the petitioner being the friend of Vicky has been implicated, co-accused Md. Monu has already been allowed bail and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, the petitioner is also directed to 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 A.C.J.M-IV, Begusarai in Garhpura P.S. Case No. 70 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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