

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43423 of 2018

Arising Out of PS. Case No.-208 Year-2016 Thana- KAHALGAON District- Bhagalpur

Raja Rai @ Raj Kumar Paswan Son of Niro Rai, Resident of Village- Ram
Nagar, Bandra Bagicha, P.S. Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 24-09-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner seeks bail in **Kahalgaon P.S. Case No.**
208 of 2016 registered for the offence punishable under
Sections 366A, 506/34 of the Indian Penal Code.

Informant is the father of victim girl who in his
written complaint has stated that his daughter Reshma Kumari
did not return to home after she went to attend classes in the
School. Some of his relatives informed that she was seen in
the company of mother of petitioner on the railway station.
The girl in her statement under Section 164 of the Cr.P.C has
not alleged of kidnapping or her abduction but she has stated
that she had accompanied the mother of the petitioner. The



girl was examined by the medical board and no external or internal injury was found on her person or her private parts. No spermatozoa has been found. The Medical Board has assessed her age below 18 years and there is no evidence of any recent sexual act. It has been submitted that the petitioner has got no criminal antecedent and it was a love affair between the victim and petitioner. Petitioner is in custody since 04.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **3rd A.D.J., Bhagalpur**, in connection with **Kahalgaoon P.S. Case No. 208 of 2016 corresponding to S. T. No. 327 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation
of bail of the petitioner.

(S. Kumar, J)

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