

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.901 of 2021

Arising Out of PS. Case No.-280 Year-2020 Thana- ATRI District- Gaya

RAKESH KUMAR @ RAKESH ROUSHAN, Son of Umesh Kumar @
Umesh Prasad, Resident of Village - Teusa Bazaar, P.S.- Atri, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Ms.Sarada Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 366A, 34 of the Indian Penal Code.

Prosecution case in brief is that on 14.08.2020, the informant's daughter aged about 15 years went to obey the call of nature then petitioner alongwith other accused persons kidnapped his daughter in the midnight and kept his daughter at the resident of co-accused. After much efforts he came to know



that these accused persons kidnapped his daughter.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The victim has given statement under Section 164 Cr.P.C. in which there is no specific overt act against the petitioner and there is no any allegation of sexual assault to the victim. The age of victim is 18 years old as per doctor report. The petitioner is in custody since 16.08.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State has opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Atri P.S. Case No. 280/2020 to the satisfaction of the learned Additional Chief Judicial Magistrate-XIII, Gaya.

(Anjani Kumar Sharan, J)

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