

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7372 of 2021

Arising Out of PS. Case No.-310 Year-2019 Thana- KHAJEKALA District- Patna

Akash Ranjan @Golu Thakur aged about 20 years, M Son of Sri Manoj Kumar R/o Govindpur P.S. Fatuha, District-Patna .

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner	:	Mr. N.K.Agrawal Sr. Adv.w ith Mr. Amresh Kumar Advocate
For the State	:	Mr.Madhavanand Jha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 02-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2. Heard learned senior counsel for the petitioner and learned counsel for the State

3. The petitioner seeks bail in Khajekalan P.S. Case No. 310 of 2019 instituted for the offence under Sections 363 and 365 of the Indian Penal Code .

4. Learned senior counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

5. Since 25.06.2020 the petitioner is said to be in custody. The informant has alleged that her daughter has gone missing when she had gone to purchase grocery. A suspicion has been raised against the petitioner that since before he has been teasing informant's daughter.



6. The learned senior counsel for the petitioner submits that though the girl is said to be missing from 24.07.2019 in the morning, the written report has been given after one days. The alleged victim has herself come back to her family. In her statements, which has been recorded under Section 164 Cr.PC, she has not alleged any kind of allegation with respect to outraging her modesty or the like. The allegation of illegal confinement is not supported by any motive, and the manner, in which, she has managed to come back home raises a grave doubt on the entire prosecution case. The statements of the victim recorded under section 164 Cr. PC is at variance with the prosecution case stated in the FIR. Two cases were pending against the petitioner since before; in one of the said cases, he has already been acquitted and he is on bail in another case pending against him. The senior counsel has also drawn the attention of the Court towards the subsequent statements of the alleged victim recorded in another case, namely, Khajekala P.S. Case No. 189 of 2020, wherein, she has stated about solemnizing marriage with another persons with whom allegedly she had fled away.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, 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 the learned SDJM Patna City, in connection with **Khajekalan P.S. Case No. 310 of 2019**, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how



he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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