

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39955 of 2021

Arising Out of PS. Case No.-109 Year-2020 Thana- KAJRA District- Lakhisarai

RAHUL KUMAR Son of Sri Kushi Mahto @ Rajesh Mahto @ Khushi Mahto
Resident of Village - Urain, P.S. - Kajara, District - Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Shri Yogesh Chandra Verma, Sr. Advocate
		Mr. Bhim Sen Prasad, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-01-2022 Heard Shri Yogesh Chandra Verma, learned Senior
Counsel for the petitioner and learned A.P.P. for the State
through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Kajra P.S. Case No. 109 of 2020 instituted for the offence under
Section 366(A) of the Indian Penal Code.

Learned Senior Counsel for the petitioner submits that
the petitioner is in custody since 07.12.2020, is a person with
clean antecedent and charge-sheet has been submitted in this
case.

Allegation is of kidnapping the daughter of the
informant.



Learned Senior Counsel for the petitioner submits that the statement of the victim was recorded under Section 164 Cr.P.C. which is Annexure-2 to the bail application where she has disclosed her age as 18 years and has stated that she was known to Rahul Kumar (petitioner) for the last one year and she loves him and she stayed with Rahul Kumar at Patna for about one month and with consent she entered into physical relationship with the petitioner and she her own volition came to the police and she intends to go with her parents and also wants to marry with Rahul Kumar (petitioner).

Learned Senior Counsel for the petitioner further submits that admittedly the victim has disclosed her age as 18 years in her statement under Section 164 Cr.P.C. and has not supported the prosecution case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 07.12.2020, charge-sheet has been submitted in this case and the petitioner is a person with clean antecedent let the petitioner above named be released on bail on furnishing bail bond of Rs.5,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Sessions Judge-II, Lakhisarai in connection with Kajra P.S. Case
No. 109 of 2020.

(Satyavrat Verma, J)

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