

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34385 of 2023

Arising Out of PS. Case No.-686 Year-2022 Thana- GAYA KOTWALI District- Gaya

MONU KUMAR @ UTTAM KUMAR @ MONU KUMAR UTTAM son of
Pramod Prasad Mohalla- New Godown Maharani Road Ps- Kotwali dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr.Raj Kishor Singh, APP
For the informant	:	Mr. Arbind Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant as also learned APP for the State.

The petitioner is in judicial custody in connection
with Kotwali P.S. Case No.686 of 2022 instituted under Sections
363,366A of the IPC lodged on 01.11.2022 by the informant
Manoj Kumar.

As per the prosecution story, the allegation is that the
informant alleged that the victim girl left home but failed to
return later it came to notice that the petitioner has taken her
away.

The case of the petitioner is that both were in
relationship, left on their own, solemnized marriage and the
family who resented such relationship lodged the FIR.

In this case case diary was called for by a coordinate



bench which has since been received.

Learned APP on the other hand has taken this Court to the statement made by under Section 164 Cr.P.C. which clearly shows that she was in relationship with the boy and had left the place on her own. He further took this Court to the medical examination, according to which the girl has been found to be 19 years of age.

Considering the aforesaid facts as also that the petitioner is 19 years old, has no criminal antecedent and has already suffered by being in custody since 09.11.2022 (para-9 of the petition), this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No.686 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Gaya , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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