

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53799 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- GRIYAK District- Nalanda

=====

PINTU KUMAR SON OF DHARMENDRA PRASAD @ DHARMENDRA
MAHTO RESIDENT OF VILLAGE - BAHADURGANJ, POLICE
STATION - KATRISARAI, DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard Mr. Shashank Shekhar, learned Counsel for

the petitioner and Mrs. Sucheta Yadav, learned APP for the

State.

The petitioner is an accused in connection with
Giryak (Katrisarai) P.S. Case No. 247 of 2023 registered for the
offences under sections 363, 366A and 34 of the Indian Penal
Code lodged on 11.05.2023 by the informant, Raju Kumar.

As per the prosecution story, the allegation is that the
informant's daughter went out to purchase some stationaries. As
she failed to return, the informant was informed that she was
seen with Anshu Kumar. Accordingly, the FIR.

It is the case of the petitioner that subsequently she
returned, made statement under section 161 as also 164 of the



Cr.P.C. stating that she went on her own with the petitioner and upon information about the lodging of the FIR, contacted her father and returned.

It is his further submission that it was a love affair and as per the statement of the girl, there was no kidnapping on the part of the petitioner.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that the girl was minor.

Considering the fact that the girl herself had deposed stating that she left the place on her own and came back upon knowledge of the lodging of the FIR, the petitioner is in custody since 19.05.2023 (as stated in paragraph 10 of the bail application), do not have criminal antecedent and is a young boy of 18 years, 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/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda in connection with Giryak (Katrissarai) P.S. Case No. 247 of 2023, subject to the 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 his 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.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

