

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57059 of 2023

Arising Out of PS. Case No.-396 Year-2023 Thana- LAKHISARAI District- Lakhisarai

RAUSHAN KUMAR S/O SUBHASH CHAUDHARY R/O VILLAGE-
NAYA BAZAR, MAHATMA GANDHI ROAD, MAA KAILASH NAGAR,
WARD NO. 32, PS. KABAIYA (LAKHISARAI), DIST. LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-08-2023 Heard the parties.

The petitioner is an accused in connection with Lakhisarai P.S. Case No. 396 of 2023 registered for the offences under section 366(a) of the Indian Penal Code lodged on 28.05.2023 by the informant, Dharamvir Saw.

As per the prosecution story, the allegation is that minor daughter of the informant went to tuition classes but failed to return, later it came to notice that the petitioner has taken her away. Accordingly, the FIR.

Learned Counsel for the petitioner submits that subsequently, the victim girl returned and made statement before the Court narrating that she left the place on her own and was in love with the petitioner. She further stated that both of them



went to Kolkata, got married and stayed there on her free will.

It has been further narrated in paragraph 8 of the petition that the girl made a categorical statement that she don't want to get herself medically examined.

Learned APP for the State, on the other hand, opposes the prayer for bail stating that allegation is of taking away the minor girl.

Considering the aforesaid submissions put forward by the learned Counsel for the petitioner, the girl has not alleged anything against him, did not went for medical examination, the petitioner is in custody since 10.06.2023 (as stated in paragraph 11 of the bail application), 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 C.J.M., Lakhisarai in connection with Lakhisarai P.S. Case No. 396 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 month for next one year 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	
---	--	---	--

