

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30342 of 2024**

Arising Out of PS. Case No.-1 Year-2024 Thana- GADHPURA District- Begusarai

Lalit Kumar @ Pungi Son of Fulena Mahto Resident of Village- Bhuidhara,
Police Station- Garhpura, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection
with Garhpura P.S. Case No. 1 of 2024 registered under
Sections 366/34 of the Indian Penal Code lodged on
03.01.2024 by the informant, Rinku Devi.

3. As per the prosecution story, the informant alleged
that her daughter went out to attend nature's call but failed to
return and later, it came to notice that the petitioner has taken
her away. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that they
were in relationship, went to Delhi but later she changed track
and upon returned had made acquisition that after she went with
this petitioner was kept in a room, though they were sleeping



separately in two rooms, later he tried to force himself upon her, she escaped and reached home.

5. He further submits that he is a boy, student, 20 years of age, have no criminal antecedent and as per the statement of the victim girl, she is 18 years of age, went on her own and do not attribute any physical relationship.

6. Learned APP opposes the prayer for bail stating that according to her statement, the boy made her unconscious, whereafter she went to Delhi.

7. Considering the aforesaid facts as also that the girl travelled towards up-to Delhi but no protest made, according to the petitioner she herself went along with this petitioner, no sexual exploitation is there, he is a boy of 20 years and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

8. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Garhpura P.S. Case No. 1 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her *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/her bail bond by the Trial court itself;

(iii) 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;

(iv) 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)

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