

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30723 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- BIHAR District- Nalanda

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KARAN KUMAR S/O BIRU YADAV R/O VILLAGE- SURATPUR, P.S-
BIND, DISTT.- NALANDA.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. RAMCHANDRA YADAV S/O LATE FAKIR CHANDRA YADAV R/O
VILLAGE- PATAUNA, P.S- BIHAR, DISTT.- NALANDA.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 26-07-2024 Heard the parties.

2. The petitioner is an accused in connection with Biharsharif P.S. Case No. 18 of 2024 registered for the offences under section 366(A) of the Indian Penal Code lodged on 09.01.2024 by the informant, Ramchandra Yadav.

3. As per the prosecution story, the victim girl went to the school but failed to return in the evening and as the mobile was switched off, the F.I.R. Subsequently, the name of the petitioner came.

4. Learned Counsel for the petitioner submits that the girl returned and has made statement under section 164 of the Cr.P.C. stating that she left Surat by train along with the



petitioner and once the F.I.R. lodged, they returned. She further narrated that no physical relationship was made by the petitioner. Further, she refused to go through the medical examination.

5. Learned APP for the State, on the other hand, opposes the prayer for bail submitting that the girl is minor.

6. Though the girl is minor, considering the statement made under section 164 of the Cr.P.C. as also the fact that she refused to go through the medical examination, the petitioner is in custody since 26.01.2024 (as stated in paragraph-11 of the petition) and do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

7. 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 at Bihar Sharif in connection with Bihar Sharif P.S. Case No. 18 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 *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 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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