

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31481 of 2024

Arising Out of PS. Case No.-348 Year-2022 Thana- MADANPUR District- Aurangabad

Raushan Kumar @ Golu S/o Manoj Kumar Gupta R/o vill - Khiriyawan, P.s. -
Madanpur, Distt. - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 21-05-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Madanpur P.S. Case No. 348 of 2022,
registered for the offences punishable under Sections 366(A) of
the Indian Penal Code.

3. The prosecution case as emerges from the FIR is
that on 04.07.2022 at about 11 am, daughter of the informant
went to market to purchase book but she did not return. During
search, it was found that Accused-Petitioner with the help of co-
accused persons enticed her away with bad intention.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the alleged victim is above 18



years of age and she is major. He further submits that as per the statement of the alleged victim before Ld. Magistrate, she is above 18 years of age and she has married the accused-Petitioner, and by giving information to Ld. Magistrate she is living with her husband/Accused who is Petitioner herein.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Aurangabad, in connection with Madanpur P.S. Case No. 348 of 2022, subject to the conditions as laid down



under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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shailendra-

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