

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41486 of 2024

Arising Out of PS. Case No.-531 Year-2023 Thana- RAFIGANJ District- Aurangabad

Gautam Kumar Son of Chhotu Das Resident of village - Charkawan, Police
Station - Rafiganj, District – Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamlendra Prasad Singh, Adv.

For the Opposite Party/s : Mrs.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rafiganj P.S. Case No. 531 of 2023 dated 12.12.2023 registered for the offences punishable u/ss 342, 376, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the victim after enticing and taking her to his house. On 11.12.2023, he again abused and assaulted the informant and also threatened the victim to kidnap her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 06.12.2023 but the F.I.R. was lodged on 12.12.2023 without any explanation. Both the parties are gotiya and the victim girl is the cousin sister of the petitioner as such no



question of marriage or any other relation is possible between them. As per the medical report of the victim, there is no sign of recent sexual assault on the victim. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Rafiganj P.S. Case No. 531 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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

