

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50476 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- VISHNUPAD District- Gaya

Aditya Raj Son Of Late Shrawan Kumar Resident Of Village - Chotaki
Nawada, Police Station - Delha, District - Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharya Kumari @ Titali Daughter of Rajesh Prasad Resident Of Village -
Chotaki Nawada, Videshi Gali, Police Station - Delha, District - Gaya

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P

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

ORAL ORDER

2 05-08-2024 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 Vishnupad P.S. Case No.
33/2024 dated 03.02.2024 registered for the offences punishable
u/s 363 and 365 read with 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have kidnapped the minor
daughter of the informant.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The victim in her statement recorded u/s 164 of the



Cr.P.C has stated that there was love affair between the petitioner and the victim and the victim has solemnized the marriage with the petitioner. Learned counsel has submitted that there is nothing in record showing that the victim was forced or seduced to have illicit intercourse with another person. As per the Medical report, the age of the victim is assessed between 18-19 years. No offence u/s 376 is made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that as per the Medical report, there is no recent sign of sexual intercourse, rape cannot be denied.

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, Gaya in connection with Vishnupad P.S. Case No. 33/2024, 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)

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