

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50984 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- RAMPUR District- Gaya

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Gautam Kumar Son of Randhir Paswan Resident of Vill- Kurhari, P.S.-
Sakurabad, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv.
		Mr. Sanjay Kumar, Adv.
For the Opposite Party/s :		Mr. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-08-2024 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 Rampur P.S. Case No. 28 of 2024 dated 20.01.2024 registered for the offences punishable u/ss 363 and 365 of the Indian Penal Code.

3. As per the prosecution case, on 17.01.2024, the informant's sister had gone for filling from at Gaya College More and when the informant's sister did not return to her house then the informant called his sister on her mobile which was found switch off. Thereafter, the informant searched his sister but he did not find her. The informant suspects that the petitioner and the co-accused persons has abducted his sister.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has not stated about the sexual assault and the victim in her statement recorded under Section 161 of the Cr.P.C. has stated that she was sexually assaulted by the petitioner which is itself contradictory. Learned counsel has further submitted that the doctor has assessed the age of the victim girl as 19 years and she is a major girl. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.01.2024.

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, Gaya in connection with Sessions Trial No. 297 of 2024 arising out of Rampur P.S. Case No. 28 of 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)

Gautam/-

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