

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61618 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- TURKAULIYA District- East
Champaran

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Rahul kumar S/O Ramashish kumar Resident of Village- Kewad, P.S-
Dhanarua, District- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Shashiranjan S/O Late Chunni Lal Sah R/O Village- Shankar Saraiya Tola
Bankat, P.S- Turkauliya, Distt.- East Champaran.

.. .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner, learned APP along with learned counsel for the

informant.

2. The petitioner is in judicial custody in connection
with Turkauliya P.S. Case No.252 of 2024 for the offences
punishable under Section 366A/34 of the Indian Penal Code
lodged on 13.05.2024 by the informant, Sashiranjan Kumar.

3. As per the prosecution story, the informant alleged
that her minor daughter went missing and allegation against this
petitioner as also his friends of having kidnapped her.
Accordingly, the FIR.

4. In this case, the Co-ordinate Bench had called for
the case diary as also the medical report which included the



statement made by the victim girl under Section 164 CrPC, according to which, she has narrated that the parents used to beat her, provides stale food and fed up with that, she left the place. Further, she on her own called the petitioner and despite his protest, she chose to marry him in a temple. Later, they came to the police station.

5. Considering the statement of the victim girl made under section 164 CrPC coupled with the facts that the petitioner is in custody since 07.06.2024 (para-1 of the petition), has got no criminal antecedent and is of only 24 years of age, this Court is inclined to extend him the privilege of bail.

6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, East Champaran, Motihari in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors should be the family member 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 the 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 his bail bonds.

(Rajiv Roy, J)

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