

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75441 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- ANTI District- Gaya

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Dharmendra Kumar S/O Rajesh Prajapati Resident of village- Korap, P.S-
Aanti Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Aanti P.S. Case No. 39 of 2024, registered on 10.04.2024 for the alleged offences under Sections 363 and 366A of the Indian Penal Code.

3. As per prosecution case, the petitioner enticed away the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The occurrence took place on 09.04.2024 but the FIR has been registered on 10.04.2024 and there is no satisfactory explanation for the delay in lodging the FIR. From the FIR it is



also apparent that the daughter of the informant went with the petitioner on her own and it is not a case of kidnapping. It is also not believable that the daughter of the informant was taken to Surat and she did not raise any alarm while being taken from the place of occurrence to Surat. The girl was medically examined and the doctor did not find any evidence of recent sexual activity and the age of the girl was found to be 19 years. It is apparent that the daughter of the informant is major and she went along with the petitioner on her own firstly to Patna and thereafter to Surat and the petitioner did not commit any wrong. Learned counsel further submits that the petitioner is a young boy of 18 years and has no criminal antecedent. Petitioner is in custody since 24.07.2024.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the age of the petitioner, doubtful nature of allegation and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Gaya/concerned Court in connection with Aanti P.S.
Case No. 39 of 2024, subject to the conditions mentioned in
Section 437(3) of the Code of Criminal Procedure and also the
following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below.
- (iii) In case of absence on three
consecutive dates or in violation of the
terms of the bail, the bail bonds of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

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