

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24452 of 2025

Arising Out of PS. Case No.-164 Year-2024 Thana- PANDARAK District- Patna

Raushan Kumar S/O Siraj Saw Resident of Village- Bhawatipur, Karmaur,
P.S- Pandarak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
For the State	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025 Learned counsel for the petitioner prays for and is allowed to make necessary correction regarding the period of custody in paragraph no.4 of the petition.

2. Heard Mr. Manoj Kumar Pandey, learned counsel for the petitioner and learned APP representing the State.

3. The petitioner is in custody in connection with Pandrak P.S. Case No. 164 of 2024 for the offence punishable under sections 137(2) and 87 of the B.N.S., lodged on 05.07.2024 by the informant, Vinod Kumar Singh.

4. As per the prosecution story, the informant alleged that on 03.07.2024, his daughter went to attend the college but failed to return. As her phone was switched off, the F.I.R.

5. Subsequently, as the story unfolds, the girl returned and narrated her ordeal that this petitioner took her away, had physical relationship and later, as he disappeared after leaving her at some relative's house she walked out and came back.

6. Learned counsel for the petitioner submits that the



girl is 21 years old, major, the statement made by her clearly show that at the first given opportunity, she had option to escape but did not do so. Actually, it was a consented relationship in which once F.I.R. lodged, she has narrated a different story which led the petitioner being in custody since 27.02.2025, has no criminal antecedent and is a young boy of 22 years, a student. The petitioner if granted relief, in no way shall have any connection either with the victim and/or her family members and failure to do so, the court concerned shall take steps for cancellation of his bail bond.

7. Learned APP opposes the prayer for bail submitting that the girl upon return has made statement against her.

8. Taking into account the submissions of the parties as also the fact that the petitioner is a young boy of 22 years, has no criminal antecedent, is in custody since 27.02.2025, the statement of the girl has taken on record as per the case diary, she is a major, F.I.R. is there, the petitioner shall be facing the trial, an undertaking has been given that the petitioner in no way shall have any connection either with the victim and/or her family members and failure to do so, the court concerned shall take steps for cancellation of his bail bond, in that background, this Court is inclined to extend him the privilege of bail.

9. Let the petitioner 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 Additional Chief Judicial Magistrate, Barh, Patna, in connection with Pandrak P.S. Case No. 164 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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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