

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56199 of 2025

Arising Out of PS. Case No.-291 Year-2024 Thana- CHAUSA District- Madhepura

Gulshan Kumar S/O Rishidev Resident of Village- Chirauri, Ward no. 8, P.S.-
Chousa, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2025 Heard the parties.

2. The petitioner is in judicial custody in connection with Chousa P.S. Case No. 291 of 2024 for the offence punishable under Section 96 of the Bhartiya Nayay Sanhita, 2023 lodged on 14.11.2024 by the informant, Nunulal Paswan.

3. As per the prosecution story, the informant alleged that when his daughter went to attend nature's call, she failed to return, suspecting the role of the petitioner/family members, the FIR.

4. Learned counsel for the petitioner submits that subsequently the victim girl returned and she made statement before the Court stating that she went on her own alongwith the Gulshan Kumar.

5. Learned APP opposes the prayer stating that the girl



is minor.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, is in custody since 31.03.2025, the girl has narrated that she left the home at her own, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. 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 S.D.J.M., Udakishunganj, Madhepura, in connection with Chousa P.S. Case No. 291 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 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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