

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61628 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Rohit Kumar S/o- Hareram Rajak Village- Sakarbasa PS-Bariarpur Distt-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel, Adv.
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 17-12-2025 Heard Mr. Pintu Kumar Patel, learned counsel for
the petitioner and Mr. Raj Ballabh Singh for the State.

2. The petitioner apprehends his arrest in connection
with Muffasil P.S. Case No. 17 of 2024 for the offence
registered under sections 363, 366A/34 of IPC.

3. As per the prosecution story, the informant alleged
that the victim who was residing at her maternal grandmother's
house, went out to attend nature's call but failed to return. The
allegation is on this petitioner and the family members who may
have taken her away. This led to the FIR.

4. Subsequently, two days later, the girl was found at
Samastipur bus stand, her statement was recorded according to
which, this petitioner who wanted to study in the same coaching



institute took her to Begusarai, gave her a biscuit whereafter, she became unconscious. Upon regaining consciousness, she found herself at the Samastipur bus stand and someone took her to the Police Station whereafter she informed her family members. The girl was examined and the medical report shows her to be between 15 to 17 years of age.

5. Learned Counsel for the petitioner submits that the girl has not alleged any wrong doing against him and the medical board which examined her on 09.01.2024 has not given any adverse opinion regarding sign of any rape and/or any injury to the private part. The age of the girl has been recorded as 15 to 17 years and the final opinion shows that there is no evidence of recent sexual assault found in the victim.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the girl has narrated herself as fifteen years.

7. Allegation is there, the medical board has ruled out any sexual assault on the victim, she also in her statement made before the Court has not alleged any physical/sexual assault, this petitioner is twenty two years of age, student having no criminal antecedent, putting him in jail along with the hardened criminals may ruin his future. As recorded above, the medial board has



opined the girl's age between fifteen to seventeen years, FIR is there, he shall be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Begusarai in connection with Muffasil P.S. Case No. 17 of 2024 subject to the following conditions:

(i) one of the bailor should be the family members/relatives 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U		T	
---	--	---	--

