

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79654 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- BACHHWARA District- Begusarai

Gaurav Kumar Jha @ Gaurav Kumar Son of Bachhu Jha R/O Vill.-
Bachhwara, P.S.- Bachhwara, Dist.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Bacchwara

P.S. Case No. 210 of 2024 registered for the offences under

Sections 366(A) of the I.P.C.

3. The petitioner is named in the First Information

Report and is in custody since 30.07.2024.

4. Allegation against the petitioner is to kidnap the

minor daughter of the informant aged about 15 years for the

purpose of marriage with further allegation to force or seduce

her to make illicit relation with another person also.

5. It is submitted by learned counsel appearing on

behalf of the petitioner that from bare perusal of statement as



recorded under Section 164 Cr.P.C. of the victim/daughter of the informant, it transpires that petitioner did not abuse her sexually for the reasons believing that she was juvenile. She categorically stated that no indecent behaviour was done by the petitioner during alleged kidnapping. It is also submitted that victim refused to go for medical examination and, moreover, the matter appears compromised between the parties in terms of Annexure P/2.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is completed and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission and by taking note of statement of the victim recorded under Section 164 Cr.P.C., which *prima-facie* negate the allegation as raised against the petitioner by the informant/father of the victim, coupled with the fact that petitioner is in custody since 30.07.2024, where investigation of this case is already



completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Bacchwara P.S. Case No. 210 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nyaya Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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