

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86646 of 2024

Arising Out of PS. Case No.-298 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Karan Kumar S/O Jarvan Mukhiya R/O Vill.- Bithan, Ward No- 7, P.S-
Bithan, Dist- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhola Prasad S/O Late Paro Prasad R/O K.M.S College Ward No.- 09, P.S
and Dist- Lakhisarai.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 18-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Lakhisarai P.S. Case No. 298 of 2024 instituted for the offences
under Section 366A of the Indian Penal Code.

3. As per prosecution case, on 14.05.2024, the
informant's minor daughter went out of her home but did not
return.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case during investigation. Learned counsel



further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that victim has been recovered and she, in her statement recorded under Section 164 of the Cr.P.C. has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that nothing has been whispered against the petitioner in Section 164 Cr.P.C. statement of the victim. Learned counsel further submitted that victim has refused for her medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 164 Cr.P.C. statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Lakhisarai P.S. Case No. 298 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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