

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4667 of 2016

Arising Out of PS.Case No. -46 Year- 2015 Thana -MAKER District- SARAN

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1. Chunnu Chaudhary son of Late Gorakh Choudhary, resident of village-
Madhaul, P.S.- Saraiya, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Prakash Sahay

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 30-03-2016 Heard the learned counsel for the petitioner and the

learned A.P.P. representing the State.

The petitioner seeks bail in connection with Maker
P.S. Case No. 46 of 2015 registered for the offence punishable
under Section 366(A)/34 of the Indian Penal Code.

Allegedly, Nitu Kumari was kidnapped by Sunita
Devi, Raj Kishore Sharma, Ranjay Sharma, Prakash Sharma,
Chunnu Chaudhary (the petitioner) and Vijay Chaudhary with
an intention to arrange marriage with her. During investigation,
the victim minor girl was recovered from the house of the
petitioner and the petitioner and others were apprehended and
further, the victim girl in her statement recorded under Section
164 of the Code of Criminal Procedure stated that she was
forcibly married.

Submission is of false implication and that the petitioner is suffering in custody since 24.04.2015, other co-accused have been allowed bail, the petitioner has been made victim of the circumstances, the victim girl has given her statement under pressure, as a matter of fact, the victim girl was having love affair with the petitioner and she has performed marriage out of own sweet will, to which the learned APP seriously opposes.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature, at this stage, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Maker P.S. Case No. 46 of 2015 pending in the court of learned Sub-Divisional Judicial Magistrate, Saran.

However, the petitioner may be at liberty to renew his prayer for bail after examination of victim girl during trial. Let the trial be expedited and the statement of the victim girl be recorded on priority basis preferably within six months.

(Jitendra Mohan Sharma, J)

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