

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30945 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -CHUTIA SAHAYAK District- SASARAM
(ROHTAS)

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Chandan Choudhary @ Chandan son of Mahendra Choudhary Resident of
Village - Pararia, Police Station - Chutia, District - Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate.

For the Opposite Party/s : Mr. Md. Ashlam Ansari, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Chutia P.S. Case No. 17
of 2017 registered under Sections 366A and 34 of the Indian Penal
Code.

As per the prosecution case, the petitioner along
with other accused persons is said to have kidnapped the minor
daughter of the informant by enticing her to perform marriage.

It is submitted by the learned counsel for the
petitioner that the victim is major which is evident from the
Aadhar Card filed by the petitioner which indicates her date of
birth as 01.01.1999. Moreover, the victim in the petition and the



affidavit filed before the Magistrate has also conceded her date of birth as 01.01.1999 as mentioned in the Aadhar Card. She has also denied the occurrence and deposed that she is in love with the petitioner and married with him out of her own sweet will and is living with him. Learned counsel for the petitioner has further submitted that the victim in her statement recorded under Section 164 Cr.P.C. stated that the accused persons have taken her away enticing her and on getting information that the police is in their search, she along with the petitioner *suo motu* regressed to her house which candidly rules out the prosecution case of kidnapping her by the petitioner. Moreover, she has deposed that she had given statement under Section 164 Cr.P.C. succumbing pressure mounted upon her by her father. The petitioner has been languishing in custody since 06.04.2017.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Dehri-on-Sone, Rohtas in connection with Chutia P.S. Case No. 17 of 2017.

(Prakash Chandra Jaiswal, J)

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