

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6042 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- HARSIDHI District- East Champaran

SANOJ CHAUDHARY S/o Late Shankar Chaudhary R/o villagle- Bairiya
Dih, P.S. Harsidhi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Adv.
For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-02-2019 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Informant.

Petitioner, who is in custody, seeks bail in
connection with Harsidhi P.S. Case No. 423 of 2018 registered
for the offence punishable under Sections 1363, 366A, 34 of the
Indian Penal Code.

Allegation against petitioner and other co-accused is
of kidnapping the minor daughter of informant with intent to
marry or sell her.

It has been submitted on behalf of the petitioner that
petitioner is innocent and has been falsely implicated in this case
only on suspicion. Petitioner is brother of co-accused S.B.
Chaudhary and he is living separately from his brother. It has
been further submitted that occurrence took place on 11.10.2018



but FIR was lodged on 14.10.2018 and there no explanation has been given for such delay. It has been further submitted that daughter of the informant had love affair with the brother of the petitioner and she might have gone with brother of the petitioner out of her own sweet will and volition. Petitioner has no criminal antecedent and he is in custody since 04.11.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Harsidhi P.S. Case No. 423 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient



reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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