

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54487 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- CHANPATIA District- West Champaran

1. GIRIJA DEVI, aged about 35 years, Male, W/o Gaurishankar Chaudhary, R/o village- Chuhari, P.S.- Chanpatia, District- West Champaran
2. Manoj Chaudhary @ Manoj Kumar, aged about 21 years, Male, S/o Gaurishankar Chaudhary, R/o village- Chuhari, P.S.- Chanpatia, District- West Champaran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Sanjeev Kumar Shrivastava, Adv.

For the Opposite Party : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Chanpatia P.S. Case No. 63 of 2019 registered under Sections 366A and 34 of the Indian Penal Code and 4 of the Protection of Children from Sexual Offences Act, 2012.

The accusation is that while the grand-daughter of the informant aged about 15 years was in the way to school, at that time, Awadhesh Singh and Manoj Chaudhary (petitioner no. 2) outraged her modesty, who returned house and informed about the incident, but, due to prestige informant, Awadhesh Tiwari, did not make complaint anywhere and approached their family members and made protest. Again, on 21.02.2019 the grand-



daughter of the informant had gone to coaching center, but, she did not return. On search, no trace was found while the informant went at the house of Awadhesh Singh and Manoj Chaudhary (petitioner no. 2), they did not give any reply, but, assured to trace out the grand-daughter and as the grand-daughter of the informant was not made available, the informant raised suspicion about kidnapping of his grand-daughter by Awadhesh Singh, Manoj Chaudhary (petitioner no. 2), Girija Devi (petitioner no. 1), Raj Kumar Chaudhary, Shanti Devi, Savita Kumari and Khushbu Devi.

The learned counsel appearing on behalf of the petitioners submits that in fact due to love affairs grand-daughter of the informant moved with Awadhesh Singh giving the application in school and both performed marriage at Delhi, which would appear from Annexure 3, but, with ulterior motive petitioners and others have been implicated in this case.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Chanpatia P.S. Case No. 63 of 2019 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to



the satisfaction of the Additional District & Sessions Judge I-
cum-Special Judge (SC/ST/POCSO), West Champaran at
Bettiah, or the successor Court subject to the conditions as laid
down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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