

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1262 of 2019**

Arising Out of PS. Case No.-93 Year-2018 Thana- NOWKOTHI GARHPURA District-  
Begusarai

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Dayanand Choudhary s/o Chamru Choudhary r/o Village- Samsa P.S  
Nawkothe, District Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Jha  
For the Opposite Party/s : Mr.Sri Dilip Kumar

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      26-03-2019                      Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence  
punishable under Sections 366A/34 of the Indian Penal Code.

Informant is the mother of victim who in her written  
complaint has alleged that on 01.09.2018 at about 11:00 pm her  
daughter Neha Kumari went missing and she has raised  
suspicion against two accused Dayanand Choudhary (petitioner)  
and Subodh Kumar Choudhary who have enticed away her  
daughter for the purpose of marriage. She has also given the  
mobile number of her daughter and other accused. It has been  
further stated that from said mobile Informant is being abused  
and threatened and she has also received message from the



mobile as disclosed in FIR.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. It has come in the order of Sessions Judge that co-accused Subodh Kumar from his mobile has abused and threatened the Informant. Petitioner has enclosed Aadhar Card of victim according to which she is major and has eloped with co-accused Subodh Kumar Choudhary and there is nothing against this petitioner. Petitioner has got no criminal antecedent and is in custody since 19.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Judicial Magistrate-1st Class, Begusarai**, in connection with **Nawkothi P.S. Case No. 93 of 2018**, with following conditions:-

- (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 shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(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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