

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17 of 2020

Arising Out of PS. Case No.-141 Year-2019 Thana- DEHRI TOWN District- Rohtas

Virendra Kumar Chaudhary @ Virendra Chaudhary Son of Dular Chandra Chaudhary @ Dular Chand Chaudhary Resident of Village- Shankarpur, P.S.- Indrapuri (Dehri), District- Rohtas at Sasaram ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Anjani Kumar Sinha No.1, Advocate

For the Opposite Party/s : Mr.C Bhushan Prasad, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-02-2020 Heard learned counsel for the petitioner as well as learned counsel for the State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

It is alleged that the petitioner took away informant's 16 years old daughter with intention to marry her.

Learned counsel for the petitioner submits that the version of the incident, narrated by the victim in her section 164 Cr.P.C. statement, is different than what has been alleged by her father in the FIR. He submits that in the FIR, informant says that his daughter, aged about 16 years had gone to the school but when she did not return home in the evening, he started search and came to know that she was taken away by the petitioner for marriage, whereas the victim in the aforesaid statement has stated that it was petitioner's mother who had come to his house and took her towards Dehri by tying a Dupatta on her eyes on a Tempoo. He further submits that the girl herself has refused to undergo medical test. There is no allegation that the petitioner committed any overt act on the victim. Petitioner has got no



criminal antecedent.

Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Dehri Rohtas in Dehri Indrapuri OP Police Station case no. 141 of 2019, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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