

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12541 of 2020

Arising Out of PS. Case No.-98 Year-2019 Thana- BALIGAON District- Vaishali

- =====
1. Kusheshwar Chaudhary Son of Asharfi Chaudhary Resident of Village-Emadpur, Police Station-Baligaon, District-Vaishali.
 2. Ganesh Chaudhary @ Ganesh Chaudhari Son of Kusheshwar Chaudhary Resident of Village-Emadpur, Police Station-Baligaon, District-Vaishali.
 3. Ashok Chaudhary @ Ashok Kumar Son of Kusheshwar Chaudhary Resident of Village-Emadpur, Police Station-Baligaon, District-Vaishali.
 4. Sudhir Chaudhary @ Sudhir Kumar Son of Kusheshwar Chaudhary Resident of Village-Emadpur, Police Station-Baligaon, District-Vaishali.
 5. Kalshi Devi Wife of Kusheshwar Chaudhary Resident of Village-Emadpur, Police Station-Baligaon, District-Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Adv
For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 05-11-2020 Heard learned counsel for the petitioners and

learned counsel for the State via video conferencing.

Petitioners seek pre-arrest bail in connection with

Baligaon P.S. Case No. 98 of 2019 registered for the offence

punishable under Sections 363 and 366/34 of the Indian Penal

Code.

Considering that the alleged victim has supported

the allegation that the accused Santosh Chaudhary, Sudhir

Chaudhary, Ganesh Chaudhary and Kusheshwar Chaudhary



abducted her forcibly on a Bolero vehicle and took her to different places as also that the petitioner Kalshi Devi was also accompanied by other accused persons, I am not inclined to grant pre-arrest bail to the petitioner nos. 1 Kusheshwar Chaudhary, 2 Ganesh Chaudhary, 4 Sudhir Chaudhary and 5 Kalshi Devi. Their prayer for bail is rejected.

So far as the petitioner no. 3 Ashok Chaudhary @ Ashok Kumar is concerned, since his name has not been taken by the victim as one of the persons involved in commission of the offence, he is directed to be released on bail, in the event of his arrest or surrender, on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Session Judge-X, Vaishali at Hajipur in connection with Baligaon P.S. Case No. 98 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since the court proceedings are being conducted through virtual mode and normal court functioning has not been restored till date, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be



communicated to me on my e-mail by the Sr. Secretary.

- (ii) The corrected copy of the order shall be transmitted by me from my e-mail id to the Sr. Secretary, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.
- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Sr. Secretary/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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