

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26681 of 2020

Arising Out of PS. Case No.-416 Year-2019 Thana- BAIRIYA District- West Champaran

BALA CHOUDHARY S/o Sri Buchi Chaudhary Resident of Village-Siswa
Saraiya, Ward No.10, P.S.-Bairiya, District-West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-10-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Bairiya P.S. Case No. 416
of 2019, registered for the offence punishable under Sections
366A, 34 of the Indian Penal Code.

The informant father of the victim girl alleged that his
daughter along with his wife had gone to attend the call of
nature in the morning. Thereafter, informant's wife heard sound
of her daughter and she saw that petitioner and co-accused
Prayag Ram kidnapped her on motorcycle.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. The victim



girl in her statement under Section 164 Cr.P.C had disclosed that she voluntarily went with the petitioner to U.P. and this petitioner done nothing wrong to her. The victim is major. Co-accused Prayag Ram has already been granted bail by this court vide order dated 06.06.2020 passed in Cr. Misc. No. 4017 of 2020. Charge sheet has already been submitted. Petitioner is in custody since 14.12.2019.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate I, West Champaran at Bettiah in connection with Bairiya P.S. Case No. 416 of 2019 subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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