

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85451 of 2019

Arising Out of PS. Case No.-59 Year-2019 Thana- LAURIA District- West Champaran

KAWAL CHAUDHARY Son of Narsingh Chaudhary Resident of Village-
Baghlochana, P.S- Lauriya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section
366/34 of the IPC.

Allegation is that daughter of the informant has been
kidnapped by co-accused Dhawal Chaudhary for the purpose of
marriage.

Petitioner happens to be brother of said Dhawal
Chaudhary. He has no criminal antecedent as per statement
made in the petition.

Victim girl has deposed under section 164 Cr.P.C
wherein she has stated that Dhawal Chaudhary was abductor.
She has also taken names of two other accused persons, namely,
Pramod and Vijay.



It is submitted that the said Dhawal Chaudhary has been allowed bail in Cr. Misc. no. 61937/2019. Merely by virtue of his relation as brother with Dhawal Chaudhary, petitioner has been implicated in this case. Neither victim has been recovered from petitioner's custody nor there is any incriminating material to connect the petitioner with alleged offence. Petitioner is in custody since 16.08.2019.

Learned A.P.P. opposes the prayer for bail.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate I, Bettiah, West Champaran in Lauriya P.S. Case no. 59/2019 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his



bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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