

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35973 of 2021

Arising Out of PS. Case No.-231 Year-2019 Thana- JOGAPATTI District- West Champaran

BADAL CHAUDHRY @ BADAL KUMAR SON OF KODAI
CHAUDHRY RESIDENT OF HARPURWA, P.S.- YOGAPATTI,
DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-12-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under section 366A of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, the accused persons including the petitioner herein kidnapped the minor sister of the informant.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted which would be evident from the statement of the alleged victim recorded under section 164 Cr.P.C. which is Annexure-2 to the petition. From perusal of the same, it would



transpire that she had gone with the petitioner out of her own free will, married the petitioner and both of them have a child out of the said wedlock. It is further submitted that from the medical report (Annexure-3), it would transpire that the alleged victim is aged between 19-20 years. The petitioner is in custody since 17.12.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the contents of the statement under section 164 Cr.P.C. and the medical report of the victim-sister of the informant, the Court directs the petitioner to be enlarged on bail in connection with Yogapatti P.S. Case no.231 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J. VI, Bettiah, West Champaran.

(Partha Sarthy, J)

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