

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2604 of 2022

Arising Out of PS. Case No.-66 Year-2021 Thana- SILAO District- Nalanda

Dayanand Chauhan Son Of Bishun Chauhan R/O Village- Balwachak, P.S.-
Silao, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vinay Mistry, Advocate
For the Opposite Party/s	:	Mr.Akshay Lal Pandit, APP
For the Informant	:	Mr. Ranvijay Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Silao P.S.
Case No. 66 of 2021 registered for the offence under Sections
341, 323, 366A, 504 and 34 of the Indian Penal Code and under
Section 8 and 12 of the POCSO Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 18.10.2021.

The allegation against the petitioner is to kidnap the
minor daughter of the informant, along with other co-accused
persons.



Learned counsel appearing on behalf of the petitioner submitted that present FIR was lodged under the directions of Court concerned, against the complain lodged by informant after 18 days of the occurrence, only suggest false implications due to previous enmities. It is submitted that petitioner is maternal uncle (Mama) of the main accused, namely, Raghu Chauhan, and allegation to help in kidnapping, is very much general and omnibus. It is further submitted that nothing incriminating surfaced during course of investigation against the petitioner, as per statement of victim recorded under Section 164 of the Cr.P.C. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent investigation in this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP duly assisted by learned counsel appearing on behalf of the informant, Shri Ranvijay Singh, while opposing the prayer of bail, fairly conceded that petitioner is maternal uncle (Mama) of the main accused, namely, Raghu Chauhan.

Considering the facts and circumstances as mentioned above, as victim denied any involvement of this petitioner in the



present occurrence through her statement recorded under Section 164 of the Cr.P.C. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Silao P.S. Case No. 66 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned VIIth Additional Sessions Judge-cum-Special Judge, POCSO, Biharsharif, Nalanda/concerned court, subject to the following conditions as laid down u/s 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

R.S.Sen/-

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