

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42085 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- PARASBIGHA District- Jehanabad

Ranjit Chaudhary Son Of Late Garivan Chaudhary Resident Of Village -
Dadhapara Barah Mile, P.S.- Kinjar, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-11-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Parasbigha P.S. Case No. 130 of 2021 registered for the offences
punishable under Sections 363, 366(A) and 34 of the Indian
Penal Code and Sections 4 and 8 of the POCSO Act.

As per the prosecution, the informant in his written
report has alleged that his grand-daughter (victim) aged about
16 years went missing since the day she went to enroll herself in
Kinjer High School. Further it is alleged that while the
informant was searching for the victim he got to know that this



petitioner has kidnapped her.

The main submissions advanced by the learned counsel Mr. Manoj Kumar appearing for the petitioner are that the so-called victim has been recovered and she has recorded her statement before the Investigating Officer as well as Judicial Magistrate under Sections 161 and 164 of Cr.P.C. respectively, in which she denied the allegation of kidnapping and accepted her love-affair with this petitioner and also accepted matrimonial relationship with this petitioner and the said facts have been discussed by the Court below in the order impugned. Further submission is that while recording the statement of the victim before the Judicial Magistrate the victim herself revealed her age as 19 years and now, the said victim has been married to another person as per her father's wish and presently she is residing at her *sasural* and the petitioner has clean antecedent and has been languishing in jail since 09.12.2021.

Learned APP Mr. Rajendra Nath Jha appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the petitioner's custody period and his clean antecedent and also the facts that the victim has been recovered and as per the order of Court below the victim has not supported the allegation of



kidnapping made by the informant in the FIR, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released 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 concerned Court in connection with Parasbigha P.S. Case No. 130 of 2021.

(Shailendra Singh, J.)

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