

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19920 of 2023

Arising Out of PS. Case No.-106 Year-2022 Thana- CHENARI District- Rohtas

Dharmendra Chaudhary, Gender- Male, aged about 22 years, son of Satya Narayan Choudhary @ Satya Narayan Pasi, resident of village- Banauli, P.S.- Chanari, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd., APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Chanari PS Case No.106 of 2022 dated 17.04.2022, giving rise to S. Tr. No.494 of 2022 instituted for the offence punishable under Section 366-A of the Indian Penal Code.

3. The prosecution case, in short, is that on 17.04.2022 in the evening the informant along with his wife went to market for purchasing vegetables and his daughter, Sandhya Kumari, was at home. When the informant returned back, his daughter was missing from the house. During search, he came to know that she has been kidnapped by the petitioner for the purpose of marriage.

4. Learned counsel for the petitioner submits that the allegation of kidnapping for the purpose of marriage is false and



fabricated. Both the parties are agnates and a civil dispute is going on being Title Suit No. 98 of 2015 in which father of the petitioner, Satyanaraya Pasi, is plaintiff no. 1 and Mahendra Pasi (informant) is defendant no. 4. Learned counsel further submits that no offence under Section 366-A of the Indian Penal Code is made out against the petitioner as the prosecution case is totally false. It is further submitted that the victim girl is major and she is more than 18 years. Learned counsel further submitted that the victim has been examined during the course of trial and she has stated in her deposition that the petitioner had not kidnapped her. Lastly, it is submitted that the petitioner is in custody since 18.04.2022 having clean antecedents and trial is going on.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 9th Additional Sessions Judge, Rohtas at Sasaram, in Chanari PS Case No.106 of 2022 giving rise to S. Tr. No.494 of 2022.

(Khatim Reza, J)

J. Alam/-

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