

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22833 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- SONEPUR District- Saran

SANJEET CHAUDHARY S/O LATE TENI CHAUDHARY Resident of
Village- Nai Bazar, P.S.- Bhagwan Bazar, District- Saran at Chapra, Presently
reside at Village- Shikar Pur, P.S.- Dariyapur, District- Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
11.01.2023 in connection with Sonepur P.S.Case No.26 of
2023, F.I.R. dated 10.01.2023 registered for the offence
punishable under Sections 363,366(A) of IPC.

3. The prosecution case, in short, is that on
30.12.2022, accused persons including the petitioner are alleged
to have induced the minor daughter (the victim) aged about 17
years for the purpose of marriage.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and has falsely
been implicated in the present case. Further submits that the



allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the victim and they have performed the marriage. Further submits that the statement of the victim was recorded under Section 164 Cr. P.C. in which she has categorically stated that she has performed the marriage with the petitioner on her own sweetwill. Further submits that it has come during investigation that the victim has refused for her medical examination and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 11.01.2023.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, 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 learned Chief Judicial Magistrate, Saran at Chapra in connection with Sonapur P.S.Case No.26 of 2023,with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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