

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30418 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- DHANSOI District- Buxar

SATYANARAIN SON OF RAMNATH RESIDENT OF VILLAGE-
KAKORI SHYAMPUR, PS- KAKORI SADAR, DISTT- AJMER ,
RAJSTHAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 46583 of 2023

Arising Out of PS. Case No.-127 Year-2022 Thana- DHANSOI District- Buxar

SUGRIV CHOUDHARY SON OF LATE RANGLAL CHOUDHARY R/O-
KHARHANA (PIDIYA TOLA), P.S.-DHANSOIN, DISTT.-BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30418 of 2023)

For the Petitioner/s : Mr. Anand Kumar Ojha, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

(In CRIMINAL MISCELLANEOUS No. 46583 of 2023)

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

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 22-08-2023

Heard the parties.

The petitioners are accused in connection with
Dhansoi P.S. Case No. 127 of 2022 registered for the offences
under sections 363 and 366(A) of the Indian Penal Code lodged
on 14.09.2022 by the informant, Premchandra Choudhary.

As per the prosecution story, the informant alleged



that his sister was traceless since last two days and on search, she could not be found. He had strong belief that Sugriv Choudhary and Babudhan Choudhary has abducted her. Accordingly, the FIR.

Subsequently after two months, the victim girl was recovered from the house of the petitioner who claims to have married her, brought to Buxar and the statement of the girl was recorded under section 164 of the Cr.P.C. in which she stated that Sugriv Choudhary and Babudhan Choudhary sold her to one Raju for Rs. 2,30,000/- and solemnized marriage with the petitioner, Satyanarain. She was regularly informed that she has been purchased.

One day, anyhow she got hold of a mobile, called her friend, whereafter she could be rescued.

It is the case of the petitioner (Satyanarain) that he is a native of Rajasthan, was persuaded by Sugriv Choudhary following which he solemnized marriage.

There was no transaction for the said marriage and her age has been found to be 18 to 19 years by the Medical Board constituted after her recovery at Buxar.

So far as the Sugriv Choudhary is concerned, he submits that he had given informatory petition against the



victim girl’s father and for retaliation, the present case.

Learned APP for the State, on the other hand, has taken this Court to the section 164 of the Cr.P.C. statement of the victim girl in which she has made a categorical statement of her being sold for Rs. 2,30,000/- by the petitioner, Sugriv Choudhary which led to the solemnization of marriage with the petitioner, Satyanarain.

Considering the allegations that the victim girl has made under section 164 of the Cr.P.C., no relief can be granted to both the petitioners, for the present, the bail applications are accordingly rejected.

(Rajiv Roy, J)

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