

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38640 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- RAJEPUR District- East Champaran

RAJESH CHOUDHARY @ RAJESH KUMAR Son of Ramekbal Choudhary
Resident of Village - Machuwahabrit, P.S.- Rajepur, Distt.- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-08-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366(a), 120(B)/34 of the Indian Penal Code and Sections 6, 8 & 12 of POCSO Act.

3. The allegation against the petitioner that he along with other accused persons kidnapped the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the prosecution case and stated that she has



solemnized marriage with the petitioner and is residing with him in her matrimonial home. It is further submitted that the victim girl is major as her age has been found about 19 years by the Medical Board. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case and considering the statement of the victim girl recorded under Section 164 Cr.P.C., the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rajepur P.S. Case No. 146 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further condition that one of the bailors will be the victim girl who is now wife of the petitioner.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

